



# DCR Environmental Services Inc.

3900 North 10<sup>th</sup> Street, Suite 102 • Philadelphia, Pennsylvania 19140 • 215-473-2950 • Fax 215-473-2951

## PHASE I ENVIRONMENTAL SITE ASSESSMENT

of

Lalor Storage  
40 and 50 (even) Mott Place  
Trenton, Mercer County, New Jersey 08611

*Prepared for:*

Ms. Carol Budd  
Customers Bank  
43 Summit Square, Suite 200  
Langhorne, Pennsylvania 19047

*Prepared by:*

DCR Environmental Services Inc.  
3900 North 10<sup>th</sup> Street, Suite 102  
Philadelphia, Pennsylvania 19140

Final: June 23, 2015

Project No. 2015125



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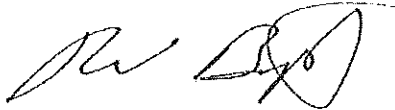
Dated: June 23, 2015

Project No. 2015125

Richard Bapst  
*Environmental Professional*

Dale C. Reiser  
*Environmental Professional*

We declare that, to the best of our professional knowledge and belief, we meet the definition of *Environmental professional* as defined in §312.10 of 40 CFR 312 and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



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Richard Bapst  
*Environmental Professional*



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Dale C. Reiser  
*Environmental Professional*

## TABLE OF CONTENTS

| SECTION  | PAGE |
|--|------|
| PROJECT SUMMARY  |      |
| 1.0 INTRODUCTION .....   | 1    |
| 1.1 REASON FOR PERFORMING ESA .....  | 1    |
| 1.2 RELIANCE .....   | 1    |
| 2.0 GENERAL PROPERTY INFORMATION .....                                       | 1    |
| 2.1 PROPERTY LOCATION .....  | 1    |
| 2.2 PROPERTY DESCRIPTION .....   | 2    |
| 2.3 PROPERTY OPERATIONS.....   | 2    |
| 2.4 UTILITIES .....  | 3    |
| 3.0 USER PROVIDED INFORMATION AND RESPONSIBILITIES .....                     | 3    |
| 4.0 PHYSICAL SETTINGS .....  | 5    |
| 4.1 TOPOGRAPHY/REGIONAL DRAINAGE .....                                       | 5    |
| 4.2 SOILS .....  | 5    |
| 4.3 UNDERLYING FORMATION .....   | 6    |
| 4.4 GROUNDWATER .....  | 6    |
| 5.0 NEIGHBORING PROPERTIES .....   | 7    |
| 6.0 HISTORICAL PROPERTY INFORMATION .....                                    | 8    |
| 6.1 CITY DIRECTORIES.....  | 9    |
| 6.2 AERIAL PHOTOGRAPHS .....   | 9    |
| 6.3 FIRE INSURANCE MAPS.....   | 11   |
| 6.4 TOPOGRAPHIC QUADRANGLE MAP .....   | 13   |
| 6.5 PRIOR USE INTERVIEWS.....  | 14   |
| 6.6 PREVIOUS REPORTS AND PLANS .....   | 14   |
| 6.7 CHAIN OF TITLE INFORMATION.....  | 14   |
| 6.8 ACTIVITY AND USE LIMITATIONS/ENVIRONMENTAL LIENS.....                    | 14   |
| 6.9 OTHER HISTORICAL SOURCES.....  | 15   |
| 6.10 HISTORICAL USE SUMMARY .....  | 15   |
| 7.0 INTERVIEWS .....   | 16   |
| 8.0 ENVIRONMENTAL RECORD SEARCH.....   | 17   |
| 8.1 PROPERTY-SPECIFIC RECORDS.....   | 17   |
| 8.2 ENVIRONMENTAL DATABASE INFORMATION .....                                 | 21   |
| 8.3 LOCAL LISTS.....   | 27   |
| 8.4 DATABASE PROPRIETARY LISTS .....   | 28   |
| 8.5 PRIOR RELEASE OF HAZARDOUS SUBSTANCES OR PETROLEUM-VAPOR MIGRATION ..... | 28   |

2015125

|      |  |    |
|------|--|----|
| 8.6  | TRANSFER ACT .....                                 | 29 |
| 9.0  | PROPERTY VISIT .....                               | 29 |
| 9.1  | ASTM SCOPE CONSIDERATIONS .....                    | 30 |
| 9.2  | ASTM NON-SCOPE CONSIDERATIONS.....                 | 32 |
| 10.0 | CONCLUSIONS AND RECOMMENDATIONS .....              | 34 |
| 11.0 | REFERENCES .....                                   | 37 |
| 11.1 | INFORMATION SOURCES.....                           | 37 |
| 11.2 | PURPOSE .....                                      | 37 |
| 11.3 | SCOPE OF WORK .....                                | 38 |
| 11.4 | SIGNIFICANT ASSUMPTIONS.....                       | 39 |
| 11.5 | LIMITATIONS AND EXCEPTIONS OF THE ASSESSMENT ..... | 40 |
| 11.5 | SPECIAL TERMS AND CONDITIONS .....                 | 41 |
| 11.6 | DEFINITIONS .....                                  | 41 |
| 11.7 | ACRONYMS .....                                     | 51 |

## ATTACHMENT I PROFESSIONAL QUALIFICATIONS

### APPENDICES

|                 |                                    |
|-----------------|------------------------------------|
| APPENDIX A      | FIGURES                            |
| • USGS TOPO MAP |                                    |
| • TAX MAP       |                                    |
| • WETLAND MAP   |                                    |
| APPENDIX B      | PROPERTY DIAGRAM                   |
| APPENDIX C      | PHOTOGRAPHS                        |
| APPENDIX D      | USER CORRESPONDENCE                |
| APPENDIX E      | AERIAL PHOTOGRAPHS                 |
| APPENDIX F      | HISTORIC MAPS                      |
| APPENDIX G      | PREVIOUS REPORTS AND PLANS         |
| APPENDIX H      | CHAIN OF TITLE/ENVIRONMENTAL LIENS |
| APPENDIX I      | CORRESPONDENCE/CITY DIRECTORIES    |
| APPENDIX J      | ENVIRONMENTAL DATABASE             |

## EXECUTIVE SUMMARY

DCR Environmental Services Inc. (DCR) conducted a Phase I Environmental Site Assessment of the Lalor Storage located at 40 and 50 (even) Mott Place in Trenton, Mercer County, New Jersey 08611 (known throughout the report as the "subject property") at the request of Customers Bank.

The subject property consists of an irregular-shaped, 1.73-acre parcel of land located at the end of Mott Place. The subject property is improved with nine one-story self-storage building and one four-story commercial building constructed in 1915 and 2002 (subject buildings). The subject property is also improved with a shed and Sprint Cell Phone Tower adjacent an out of use water tower. There are no other improvements on the subject property. The remaining portions of the subject property are covered with the associated paved parking areas, lawn areas, and landscaping. No water bodies are located on the subject property. No water bodies are located on the adjoining properties. Vehicular access to the subject property is gained via Mott Place along the southeast side of the subject property.

The subject buildings consist of masonry and steel frame construction with a slab-on-grade (one-story buildings) and basement foundation. The gross area of the subject buildings is approximately 77,460 square feet. The subject buildings contain two tenant spaces. The interior walls were finished with cement, brick, and concrete block. The interior floors were finished with 12"x12" vinyl tile and concrete. The interior ceilings were finished with cement and wood. The main subject building also contains a historical boiler room and cable-driven/freight elevator machine rooms, as well as a current hydraulic elevator machine room. Renovations to the subject buildings were not reported. The subject buildings are heated and cooled by electricity and natural gas.

Based on a review of the historical sources, the subject property consisted of structures associated with J.L. Mott Iron Works; Fedders Quigan Corp. Mfrs. Heating Equipment; Mutual-Sunset Lamp Co., Inc.; and Wellington Print Works, Inc., including: a structure that housed boilers, engines and air compressors; portions of a foundry structure; a structure comprised of mounting, tin and machine shops (also used as a printer's warehouse and for plastic embossing and printing); an enameling building (also labeled as "factory building"); portions of an enameling material storage building; a stock room structure; a small one-story structure; iron chimneys; a covered bridge(s); railroad spurs; an automobile garage, and electronics warehousing operations over time prior to becoming vacant in the late 1990s.

Our review of general property information, observation of adjacent properties, research of historical property information, including a review of environmental records, and a property visit revealed the following:

|  | No<br>Further<br>Action | REC | CREC | HREC | De minimis<br>Conditions | ASTM Non-scope/Sig.<br>Data Gaps/BMP/Other<br>Environmental<br>Considerations | Refer<br>to<br>Section |
|--|-------------------------|-----|------|------|--------------------------|---|------------------------|
|--|-------------------------|-----|------|------|--------------------------|---|------------------------|

2015125

|  | No<br>Further<br>Action | REC             | CREC | HREC | De minimis<br>Conditions | ASTM Non-scope/Sig.<br>Data Gaps/BMP/Other<br>Environmental<br>Considerations | Refer<br>to<br>Section |
|--|-------------------------|-----------------|------|------|--------------------------|---|------------------------|
| Property Operations                            | X                       |                 |      |      |                          |   | 2.3                    |
| Neighboring Properties                         | X                       |                 |      |      |                          |   | 5.0                    |
| Historical Review                              |                         | (1)             |      |      |                          | (5)   | 6.0                    |
| Previous Reports                               | X                       |                 |      |      |                          |   | 6.0                    |
| Regulatory Review                              |                         | (1),(2)<br>,(3) |      |      |                          |   | 8.0                    |
| USTs   |                         |                 |      |      |                          |   | 9.1                    |
| ASTs   | X                       |                 |      |      |                          |   | 9.1                    |
| PCBs   | X                       |                 |      |      |                          |   | 9.1                    |
| Chemicals/Hazardous<br>Materials/Raw Materials | X                       |                 |      |      |                          |   | 9.1                    |
| Waste<br>Generation/Disposal                   | X                       |                 |      |      |                          |   | 9.1                    |
| Stressed Vegetation,<br>Staining, and Odors    | X                       |                 |      |      |                          |   | 9.1                    |
| Pits   |                         | (4)             |      |      |                          |   | 9.1                    |
| Surficial Disturbances                         | X                       |                 |      |      |                          |   | 9.1                    |
| ACMs   |                         |                 |      |      |                          | (6)   | 9.2                    |
| Radon  | X                       |                 |      |      |                          |   | 9.2                    |
| Lead-Based Paint                               | X                       |                 |      |      |                          |   | 9.2                    |
| Lead in Drinking Water                         | X                       |                 |      |      |                          |   | 9.2                    |
| Water Intrusion/Mold                           | X                       |                 |      |      |                          |   | 9.2                    |
| Air Emissions                                  | X                       |                 |      |      |                          |   | 9.2                    |
| Wetlands                                       | X                       |                 |      |      |                          |   | 9.2                    |

Notes / Recommendations: To understand the property and report, you must read the complete report.

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of Lalor Storage located at 40 and 50 (even) Mott Place in Trenton, Mercer County, New Jersey 08611. Any exceptions to, or deletions from, this practice are described in Section 1.0 of this report. This assessment has revealed the following evidence of recognized environmental conditions in connection with the subject property:

2015125

1. DCR was provided 6 pages of records exist within the SRP ISRA Division for the subject property. The records pertain to an ISRA no applicability letter associated with the parcel of the subject property known as Block 160, Lot 1. The application seemingly completed by the City of Trenton who owned the subject property noted the area to have consisted of vacant land prior to 1983. DCR notes however that this portion of the subject property was formerly occupied by a portion of the Fedders Quigan Corporation through sometime between 1927 and 1949 through sometime between 1977 and 1982. This corporation manufactured heating and air conditioning equipment. Review of fire insurance maps revealed that a portion of the shipping center and warehouse as well the factory operations. These operations would be suspect for metals, solvent, and PCB-containing oils usage. These historical operations of potential environmental concern constitute a recognized environmental condition.

DCR notes that based on the nature of the subject buildings in this area (self-storage with no common areas and only storage units on a slab concrete foundation), coupled with the expected strong westerly gradient in this area in relation to the main subject building which contains the office area and distance from said building, potential subsurface impacts in this area as a result of these former operations would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, and as such, it is DCR's opinion that no further investigation of these prior operations is warranted at this time. DCR does note that should redevelopment of this area be proposed in the future, an investigation into potential impacts from these former operations would be warranted at that time.

2. The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Wellington Print Works Inc. vacating and selling the subject property in circa 1985-86. The case seemingly dates back to 1985 based on its ISRA Activity Number, E85524. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP, two subsequent site inspections were performed and then a no further action letter was issued on June 12, 1986. The Dataminer profile further notes in the "confirmed contamination" a response of "questionable/historic". The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment and Site Inspection Reports approved by the NJDEP.

DCR's review of the regulatory databases revealed that the subject property is also listed as a US Brownfields site. DCR's review of the USEPA Brownfields progress tracker for this subject property listing on the USEPA Assessment, Cleanup, and Redevelopment Exchange System (ACRES) website noted that the assessment stage of the Brownfield process was complete however the cleanup stage had yet to be initiated, nor had potential engineering/institutional controls been applied to the property, or redevelopment started. The profile noted that apparently in March 2002 the City of Trenton was provided a grant to coordinate/perform a Phase I ESA at the subject property for the assessment phase of the Brownfield process. In the assessment summary profile, it is noted that upon conclusion of

2015125



the assessment phase, it was determined that cleanup is required at the subject property. DCR notes that seemingly this assessment by the USEPA was performed after the No Further Action ISRA Determination from the NJDEP was issued in June 1986.

DCR notes that a file review of NJDEP and USEPA records would be needed in attempt to obtain additional specifics regarding these known assessments conducted at the subject property.

3. The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Mutual Sunset Lamp MFG Co. Inc. vacating and selling the southern parcel of the subject property in circa 1985. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP and a no further action letter was issued December 13, 1985. The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment approved by the NJDEP. As such, DCR notes that a file review of available NJDEP records pertaining to this case would be required to confirm that no subsurface impacts were allowed to remain in place above current NJDEP remedial standards, which would therefore constitute a REC. DCR does note however that it is their opinion that potential residual concentrations of contaminants allowed to remain in place at the time of this ISRA case closure in 1985 would not be expected to pose a significant threat to the current commercial operations at the subject property which is entirely paved and does not utilize groundwater.
4. DCR observed a pit within the boiler room, approximately 25 feet from the boiler, along the wall of the subject building. Half of the pit contained a steel liner, while the other had the concrete base exposed. DCR did not observe significant staining or cracking within the exposed portions of the pit. DCR could not identify potential inlets or outlets within the pit. While DCR expects that this pit area would have been identified as an area of concern and addressed during the Preliminary Assessment prepared for the case-closed ISRA case and/or the USEPA Phase I ESA associated with the main subject building upon cessation of operations by Wellington Print Works back in the 1980s, a file review of known conducted prior NJDEP/USEPA assessments would be needed to attempt to identify the former nature of this pit and whether it has been investigated to date/warranted being investigated/warrants being investigated further.

#### ASTM Non-Scope/Significant Data Gaps/BMP/Other Environmental/Regulatory Considerations

The following Non-ASTM Scope, Significant Data Gaps, best management practice, and/or other environmental/regulatory considerations were identified at the subject property based on the findings provided in this report:

5. DCR observed the historical boiler within the basement of the main subject building. Seemingly a three-quarter to one-inch fuel supply line had been snipped from the side of the boiler adjacent a suspected oil filter unit. Staining was present atop this pipe. DCR did not observe evidence of current or former storage tanks in the boiler room area, although it is

2015125

noted that materials storage in the room blocked a significant portion of the floor surface and wall surface areas. No vent pipes or fill ports or evidence of said features were observed on the outside walls of the subject building. DCR did not identify records with the city regarding storage tanks. The records reviewed dated back to at least 1988. DCR notes that the inability to confirm the heat (fuel) source for the historical main subject building boiler represents a significant data gap. DCR further notes the potential for heating oil and associated storage tanks to have been utilized at the other historical subject property structures, although it is also noted that reportedly, no USTs were encountered during the pouring of the self-storage building foundations, which included an excavation of the surficial layer in the areas of these buildings.

DCR notes that as no evidence of remaining in place storage tanks was observed or reported, and as potential historical impacts from previously removed/abandoned storage tanks would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, it is DCR's opinion that no further investigation of this significant data gap is warranted at this time. DCR does note however that if historical USTs or associated impacts are identified during future redevelopment activities, they will need to be handled in accordance with applicable regulations. DCR further notes that a review of the Preliminary Assessment reports prepared for the historical subject property operations could include information pertaining to potential former heating oil usage at the subject property.

6. DCR notes that based on the date of redevelopment/construction of the subject buildings (2002), finishing materials observed including drywall and 12"x12" vinyl floor tile would not be expected to contain asbestos. DCR did however observed 2 linear feet of what appeared to be air-cell pipe insulation that was left in place during a prior removal event, in addition to expected asbestos-containing materials within the historical boiler which remains at the subject property. This insulation was observed in the basement, along the Mott Place side of the main subject building.

Currently, there are no regulations requiring the removal of ACM unless it will be disturbed during renovation, repairs, or demolition. The USEPA recommends that as long as the ACM does not pose an imminent health threat, the materials can be managed under an Operations and Maintenance (O&M) Plan.

## 1.0 Introduction

This Phase I Environmental Site Assessment was conducted in general accordance with industry-accepted practices, and American Society for Testing and Materials (ASTM) Standard E 1527-13. The work was authorized by the Notice to Proceed dated June 2, 2015.

Customers Bank is considered the User, as defined in ASTM E 1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The subject property is identified as Block 18202, Lots 7, 8, 8.01, and 9, according to the New Jersey Association of County Tax Boards.

A property location map is included in Appendix A.

Per the ASTM practice and throughout this report, the Client will be considered the same as the User in the ASTM E 1527-13 practice.

### 1.1 Reason for Performing ESA

Customers Bank (User) is performing the Phase I Environmental Site Assessment for determining whether to make a loan evidenced by a note secured by the property and not for pre-purchase due diligence.

### 1.2 Reliance

This report has been prepared for the sole benefit of Customers Bank, and may not be relied upon by any other person or entity without the written authorization of DCR.

## 2.0 GENERAL PROPERTY INFORMATION

### 2.1 Property Location

| Property Location                 |   |
|-----------------------------------|---|
| Property Name                     | Lalor Storage   |
| Property Addresses                | 40 and 50 (even) Mott Place   |
| Property Town, County, State, Zip | Trenton, Mercer County, New Jersey 08611  |
| Property Tax Identification       | Block 18202, Lots 7, 8, 8.01, and 9 (New Jersey Association of County Tax Boards) |
| Property Topographic Quadrangle   | <u>Trenton West, New Jersey</u>   |
| Nearest Intersection              | Mott Place and Lalor Street   |
| Area Description                  | Highly developed, suburban  |

An excerpt from the USGS 7.5-minute series topographic quadrangle map of Trenton West, New Jersey, locating the subject property, is included in Appendix A.

## 2.2 Property Description

| Property Information                  |  |
|---------------------------------------|--|
| Property Ownership Name               | Lalor Storage, LLC (New Jersey Association of County Tax Boards)   |
| Date of Acquisition                   | September 20, 1999<br>March 18, 2002 (New Jersey Association of County Tax Boards)   |
| Property Acreage                      | 1.73 acres (New Jersey Association of County Tax Boards)   |
| Property Shape                        | Irregular  |
| Property Use                          | Self-storage and commercial laundry operation  |
| Number of Buildings                   | 10   |
| Number of Stories                     | One and four-story   |
| Construction Dates                    | 1915 and 2002 (Review of historical sources)   |
| Building Square Footage               | 77,460 square feet (New Jersey Association of County Tax Boards)   |
| Basement/Slab-on-grade                | Basement and Slab-on-grade   |
| Number of Units                       | Two  |
| Ceiling Finishes                      | Cement and wood  |
| Floor Finishes                        | 12"x12" vinyl tile and concrete  |
| Wall Finishes                         | Cement, brick, and concrete block  |
| HVAC (Energy Source & Type of System) | Electricity and natural gas / forced air   |
| Renovation Date                       | 2002   |
| Renovation Description                | Conversion into self-storage and gut renovation of four-story subject building   |
| Vehicular Access                      | Mott Place   |
| Other Improvements                    | Shed, cell tower and out of use water tower  |
| Property Coverage                     | Footprint of the subject buildings and additional improvements as noted above, associated parking areas, lawn areas, and landscaping |

A property diagram of the subject property is included in Appendix B.

## 2.3 Property Operations

The subject property is utilized for a self-storage facility, Lalor Storage, and commercial laundry operation, Laundry Solutions. The self-storage facility occupies the nine one-story buildings as well as half of the first floor and floors two and three of the main subject building. The fourth floor is currently used for general storage and is waiting to be built out into self-storage units. The commercial laundry operation occupies the other half of the first floor of the main subject building. No operations are present in the basement area of this subject building.

No industrial or manufacturing operations were observed at the subject property at the time of the property visit.

No environmental concerns were identified at the subject property based on the operations observed during the property visit.

## 2.4 Utilities

DCR was informed by Ms. Heather Williams, Property Manager, that the following companies and municipality currently provide utility services to the subject property:

| Utility             | Provider                             |
|---------------------|--------------------------------------|
| Electricity         | PSE&G                                |
| Natural Gas         | PSE&G                                |
| Sanitary Sewerage   | City of Trenton                      |
| Potable Water       | Trenton Water Works                  |
| Solid Waste Removal | Not specified                        |
| Fuel Oil            | Not provided to the subject property |
| Steam               | Not provided to the subject property |

## 3.0 USER PROVIDED INFORMATION AND RESPONSIBILITIES

This section is to describe tasks to be performed by the User that will help identify the possibility of recognized environmental conditions, environmental liens and AULs in connection with the subject property as required by the ASTM standard. These tasks do not require the technical expertise of an environmental professional. Any and all information that may be material to identifying recognized environmental conditions must be provided by the User if available. Per the ASTM standard, the environmental professional shall note in the report whether or not the User has reported to the environmental professional information pursuant to Section 6 of the ASTM standard.

|  | User Provided                               | Not provided     |
|--|---|------------------|
| User Questionnaire                           |   | X                |
| Title and Judicial Records                   |   | See Section 6.3. |
| Environmental Liens/Activity Use Limitations | See Section 6.8.                            |                  |
| Specialized or Actual Knowledge of the User  | See Section 7.0.                            |                  |
| Valuation Reduction for Environmental Issues | Not applicable due to nature of transaction |                  |
| Reason for Performing the Phase I            | Pre-lending                                 |                  |
| Helpful Documents/Prior Reports              | See below table and Section 7.0.            |                  |
| Proceedings Involving the Subject Property   | See Section 7.0.                            |                  |

|                           | User Provided    | Not provided |
|---------------------------|------------------|--------------|
| User Identified Personnel | See below table. |              |

### User Questionnaire

Per previous correspondence, this client DOES NOT receive a user questionnaire as they are potential lenders to the subject property and as such, have just become associated with it, and maintain no background information regarding said property. DCR was directed to ask current property management and ownership representatives for whom contact information was provided by the User for information pertaining to the environmental condition of the subject property.

Items not provided are considered data gaps per the ASTM Standard.

No significant data gaps were identified based upon the information known by the User for this transaction.

### User Identified Personnel

The information and contacts below were identified and/or provided by the User/Client.

|                                       | Name                 | Company            |
|---------------------------------------|----------------------|--------------------|
| User                                  | Ms. Carol Budd       | Customers Bank     |
| Key Site Manager                      | Ms. Heather Williams | Lalor Storage      |
| Current Property Owner                | Mr. Chris Vernon     | Lalor Storage, LLC |
| Current Property Owner Representative | Ms. Heather Williams | Lalor Storage      |
| Property Manager                      | Ms. Heather Williams | Lalor Storage      |

Information obtained from the above User-identified personnel interview's is presented in Section 7.

### Helpful Documents Provided Prior to Property Visit

Per the ASTM standard, prior to the property visit, the property owner, key site manager (if any is identified), and User (if different from the property owner) shall be asked if they know whether any of the documents below exist and if so, whether copies can and will be provided within reasonable time and cost constraints including partial information. This information is to be provided prior to or at the beginning of the property visit.

| Documents                              | User  |          | Key Site Manager |          | Property Owner |          |
|--|-------|----------|------------------|----------|----------------|----------|
|  | Exist | Provided | Exist            | Provided | Exist          | Provided |
| ESA reports                            | DNK   | NA       | No               | NA       | No             | NA       |
| Environmental compliance audit reports | DNK   | NA       | No               | NA       | No             | NA       |
| Environmental permits                  | DNK   | NA       | No               | NA       | No             | NA       |
| UST/AST registrations                  | DNK   | NA       | No               | NA       | No             | NA       |
| Underground Injection permits          | DNK   | NA       | No               | NA       | No             | NA       |

| Documents                                       | User         |          | Key Site Manager |          | Property Owner |          |
|---|--------------|----------|------------------|----------|----------------|----------|
|   | Exist        | Provided | Exist            | Provided | Exist          | Provided |
| MSDSs   | DNK          | NA       | No               | NA       | No             | NA       |
| Community Right-to-Know plan                    | DNK          | NA       | No               | NA       | No             | NA       |
| Safety plans                                    | DNK          | NA       | No               | NA       | No             | NA       |
| SPCC plans                                      | DNK          | NA       | No               | NA       | No             | NA       |
| Emergency preparedness and prevention plans     | DNK          | NA       | No               | NA       | No             | NA       |
| Facility Response Plans                         | DNK          | NA       | No               | NA       | No             | NA       |
| Hydrogeologic reports                           | DNK          | NA       | No               | NA       | No             | NA       |
| Government agency correspondence and violations | DNK          | NA       | No               | NA       | No             | NA       |
| Hazardous waste generator notices or reports    | DNK          | NA       | No               | NA       | No             | NA       |
| Geotechnical studies                            | DNK          | NA       | No               | NA       | No             | NA       |
| Risk assessments                                | DNK          | NA       | No               | NA       | No             | NA       |
| Recorded AULs                                   | See Sec. 6.8 | NA       | No               | NA       | No             | NA       |
| Environmental liens                             | See Sec. 6.8 | NA       | No               | NA       | No             | NA       |
| Other   | DNK          | NA       | No               | NA       | No             | NA       |

DNK – Does not know

NA – Not applicable

## 4.0 PHYSICAL SETTINGS

### 4.1 Topography/Regional Drainage

|                             |   |
|-----------------------------|---|
| Topographic Quadrangle Name | Trenton West, New Jersey                        |
| Property Elevation          | 40 to 50 feet above mean sea level              |
| Surface Gradient            | Declines to the west                            |
| Property Drainage           | Overland flow to on-property storm water drains |
| Regional Drainage           | West to the Delaware River appx. 1,700 feet     |

A copy of the USGS 7.5-minute series topographic quadrangle map of Trenton West, New Jersey, is included in Appendix A.

### 4.2 Soils

| NRCS Web Soil Survey / USDA County Soil Survey |                 |
|--|-----------------|
| Information Source                             | Web Soil Survey |
| Date of Information Source                     | Current         |
| Soil Name                                      | Urban land      |

| NRCS Web Soil Survey / USDA County Soil Survey   |                          |
|--|--------------------------|
| Description: Urban land consists of more than 80% of the soil is covered by industrial plants, shopping and business centers and other businesses. The soil in this area generally ranges from two to 1,000 acres and are more likely in the northern half of the county. The majority of this soil is fair to moderate in sloping, although some of the soils slope more than others. Most areas have been excavated or filled with material that is now almost totally filled. |                          |
| Expected depth to bedrock  | Too variable to estimate |

#### 4.3 Underlying Formation

|   |   |
|---|---|
| Information Source  | United States Geologic Survey                           |
| Title of Publication  | Bedrock Geologic Map of Central and Southern New Jersey |
| Date of Publication   | 1998  |
| Name of Unit  | Potomac Formation (Upper Cretaceous, lower Cenomanian)  |
| Description of Unit: Consists of predominantly clay to clay-silt, thinly laminated to thick-bedded, mottled red, white, and orange-brown, less commonly dark-gray and woody; interbedded with thin beds and lenses of very fine to medium-grained, massive, white to orange-brown, micaceous sand. Lithologies are typical of the shallow subsurface. |   |

The "Brownfield and Contaminated Site Remediation Act" (N.J.S.A. 58:10B-1 et seq.) requires the Department of Environmental Protection to map regions of the state of New Jersey where large areas of historic fill exist and make this information available to the public. These maps show areas of historic fill covering more than approximately 5 acres. For the purposes of these maps, historic fill is non-indigenous material placed on a site in order to raise the topographic elevation of the site. No representation is made as to the composition of the fill or presence of contamination in the fill. Some areas mapped as fill may contain chemical-production waste or ore-processing waste that exclude them from the legislative definition of historic fill.

Review of the Historic Fill of the Trenton West, New Jersey map reveals that the entire subject property is not located within a historic fill boundary.

#### 4.4 Groundwater

|   |  |
|---|--|
| Information Source  | United States Geological Survey                    |
| Title of Publication  | National Water Summary 1986 – Ground-Water Quality |
| Date of Publication   | 1988   |
| Underlying Aquifer  | Potomac-Raritan-Magothy aquifer                    |
| Description: The subject property is underlain by the Potomac-Raritan-Magothy aquifer. The Potomac-Raritan-Magothy aquifer is a confined aquifer that is recharged directly by precipitation in outcrop areas, by vertical leakage through confining beds, and by seepage from surface-water bodies. The Potomac-Raritan-Magothy aquifer is the most used confined aquifer in the coastal plain and extends throughout the Coastal Plain and attains a maximum thickness of 4,100 feet. |  |



|  |   |
|--|---|
| Expected Depth to Shallow Groundwater          | 10 to 20 feet bgs                                       |
| Information Source                             | NRCS Web Soil Survey / USDA County Soil Survey          |
| Expected Direction of Shallow Groundwater Flow | West  |
| Information Source                             | USGS Topographic map of <u>Trenton West, New Jersey</u> |

## 5.0 NEIGHBORING PROPERTIES

Review of neighboring properties from the subject property and from public thoroughfares, and research of available information regarding the neighboring properties, were performed to identify evidence of environmental concerns that could adversely impact the subject property. The subject property is located in a residential and commercial area of Trenton, New Jersey.

| Direction | Property                           | Address  | Operations                                 |
|-----------|------------------------------------|--|--|
| North     | Parking lot                        | 20 Mott Place                                    | Parking lots                               |
| South     | Lalor Plaza                        | 410 Lalor Street                                 | Retail, restaurants, offices, salons, bank |
| East      | The Hibbert Group                  | 21 Mott Place<br>11 Hancock Street               | Offices                                    |
|           | Riverside Nursing and Rehab Center | 325 Jersey Street                                | Healthcare                                 |
| Southeast | Warehouse                          | 480 Lalor Street                                 | Warehousing and offices                    |
| West      | Railroad tracks                    | Not applicable                                   | NJ transit rail lines                      |
|           | State Highway 129                  | Not applicable                                   | Public thoroughfare                        |
|           | South Village                      | 28 through 66 Stokely Avenue<br>312 Lalor Street | Elderly housing                            |

Based on a review of neighboring properties from the subject property and from public thoroughfares, the neighboring properties do not appear to be of the type likely to pose a significant threat to the environmental condition of the subject property.

The neighboring properties were not listed in the environmental database reviewed, with the exception of 480 Lalor Street (RCRA Conditionally Exempt Small Quantity Generator), Lalor and Hancock Streets (RCRA Non-Generator), 312 Lalor Street (State Hazardous Waste Site (SHWS), 40 Stokely Avenue (UST and Brownfield) and a potential unknown source identified contamination site identified as Hancock Street (SHWS). These listings are discussed in Section 8.

A property diagram including neighboring properties is included in Appendix B. Photographs including the neighboring properties are included in Appendix C.

## 6.0 HISTORICAL PROPERTY INFORMATION

The history of the subject property was researched to evaluate potential historical uses of the subject property of environmental concern.

The below standard historical sources were researched:

**Standard Historical Source Summary**

| Historical Source   | Source Checked? | Source               | Years Reviewed   | Discussed Below                               |
|---|-----------------|----------------------|--|---|
| Aerial Photos   | Yes             | EDR                  | 1931, 1938, 1953, 1958, 1960, 1964, 1971, 1978, 1983, 1989, 1992, 1995, 1999, 2005, 2006, 2008, and 2010 | X   |
| Fire Insurance Maps   | Yes             | EDR                  | 1908, 1927, 1949, 1955, 1965, 1969, 1977, 1982, and 1991   | X   |
| Property Tax File   | Yes             | NJACTB               | Current  | See Section 8.1.                              |
| Recorded Land Title Records/COT, AULs and Environmental Liens | Yes             | Regulatory databases | Current  | See Section 6.8 below and Sections 8.1 & 8.2. |
| USGS 7.5 Minute Topo Maps                                     | Yes             | USGS                 | 1955   | X   |
| Local Street Directories (city directories)                   | Yes             | EDR                  | 1971, 1976, 1981, 1986, 1992, 1995, 1999, 2003, 2008, and 2013   | X   |
| Building Department Records                                   | Yes             | City of Trenton      | Not specified  | See Section 8.1.                              |
| Zoning/Land Use Records                                       | Yes             | City of Trenton      | Current  | See Section 8.1.                              |
| Prior Use Interviews  | Yes             | Ms. Heather Williams | 2004   | X   |
| Previous Reports  | No              | Not applicable       | Not applicable   | X   |
| Other Historical Sources                                      | No              | None                 | Not applicable   | X   |

It should be noted that data failure has occurred, as the use of the subject property was unable to be identified in five-year intervals back to its first developed use, upon review of reasonably ascertainable standard historical sources. This data failure is not expected to represent a significant data gap.

## 6.1 City Directories

DCR reviewed city directories for the subject property as provided by EDR. Directories reviewed for the subject property included 1971, 1976, 1981, 1986, 1992, 1995, 1999, 2003, 2008, and 2013.

Review of the city directories revealed that the subject property was occupied by Lalor Storage in 2008 and 2013 along with Laundry Solutions in 2013. No listings were present in 1999 and 2003. In 1992 and 1995, Liberty Electronics was listed as occupying the subject property. Based on a review of city records, these operations were storage/warehousing only. In 1971 through 1986, the subject property was not listed.

City directories are included in Appendix I.

## 6.2 Aerial Photographs

|  |            |
|--|------------|
| Year   | 1931, 1938 |
| Information Source   | EDR        |
| Description of Subject Property: Consisted of the structures and the partial structures corresponding to those depicted in the 1927 historic Sanborn map, specifically, three large rectangular structures, a portion of large rectangular structure (in the northwest portion of the property), two long, narrow rectangular structures located along the southern property line (one of which extended onto the westerly adjoining property) and a small structure located in the southeastern portion of the property. A narrow structure was observed along the western property line in the 1938 photo; it extended onto the southerly adjoining property beyond the indent in the western property boundary. |            |
| Description of Northerly Adjoining Property: Consisted of commercial/industrial development, railroad tracks and the Delaware and Raritan Canal.   |            |
| Description of Southerly Adjoining Property: Consisted of commercial/industrial development, railroad tracks, the Delaware and Raritan Canal and a roadway corresponding to the present-day Mott Place.  |            |
| Description of Easterly Adjoining Property: Consisted of railroad tracks, commercial/industrial development, and roadway corresponding to the present-day Mott Place.  |            |
| Description of Westerly Adjoining Property: Consisted of railroad tracks, followed by the Delaware and Raritan Canal, with commercial/industrial development beyond.   |            |

|   |                                    |
|---|------------------------------------|
| Year  | 1953, 1958, 1960, 1964, 1971, 1978 |
| Information Source  | EDR                                |
| Description of Subject Property: In comparison to earlier photos: the structure previously observed in the northeastern portion of the property was no longer present; an addition was observed to the west side of the structure partially located in the northwestern portion of the property; and the structures previously observed along the southern property line were not present, such that the improvements at the subject property corresponded to those depicted in the 1955 and 1965 Sanborn maps. Expected trailers and vehicles were observed. Due to the quality of the 1960 photo, exact specifics could not be discerned. |                                    |
| Description of Northerly Adjoining Property: The canal was not observed from the 1964 photo on. No other significant changes were observed.   |                                    |

|   |                                    |
|---|------------------------------------|
| Year  | 1953, 1958, 1960, 1964, 1971, 1978 |
| Description of Southerly Adjoining Property: The canal was not observed from the 1964 photo on. A parking area was observed in a previously-expected industrial area; commercial/industrial development remained. No other significant changes were observed. |                                    |
| Description of Easterly Adjoining Property: No significant changes were observed.   |                                    |
| Description of Westerly Adjoining Property: The canal was not observed from the 1964 photo on. No other significant changes were observed.  |                                    |

|   |                  |
|---|------------------|
| Year  | 1983, 1989, 1992 |
| Information Source  | EDR              |
| Description of Subject Property: The structure previously observed in the northwestern portion of the property was no longer present. No other significant changes were observed.   |                  |
| Description of Northerly Adjoining Property: The structure that formerly extended into the subject property was no longer present. A parking area was observed in the area from the 1989 photo on. Route 129 was observed from the 1992 photo on. No other significant changes were observed. |                  |
| Description of Southerly Adjoining Property: Route 129 was observed from the 1992 photo on. No other significant changes were observed.   |                  |
| Description of Easterly Adjoining Property: Expected residential development was observed in the 1992 photo. No other significant changes   |                  |
| Description of Westerly Adjoining Property: Route 129 was observed from the 1992 photo on. No other significant changes were observed.  |                  |

|  |            |
|--|------------|
| Year   | 1995, 1999 |
| Information Source   | EDR        |
| Description of Subject Property: The large structure previously observed in the southern portion of the property was no longer present. In 1999, expected trailers were observed along the southern property line. An expected low-lying, potentially ponded, area was observed in the northwestern portion of the property in the 1995 photo. |            |
| Description of Northerly Adjoining Property: No significant changes were observed.   |            |
| Description of Southerly Adjoining Property: No significant changes were observed.   |            |
| Description of Easterly Adjoining Property: No significant changes were observed.  |            |
| Description of Westerly Adjoining Property: No significant changes were observed.  |            |

|  |                            |
|--|----------------------------|
| Year   | 2005, 2006, 2008, and 2010 |
| Information Source   | EDR                        |
| Description of Subject Property: The subject property consisted of structures corresponding in size, shape, location and orientation to the present-day subject buildings.               |                            |
| Description of Northerly Adjoining Property: Undeveloped land was observed in an area previously commercially/industrially developed.  |                            |
| Description of Southerly Adjoining Property: No significant changes were observed through the 2006 photo. Previously undeveloped land consisted of a parking lot from the 2008 photo on. |                            |
| Description of Easterly Adjoining Property: No significant changes were observed.  |                            |
| Description of Westerly Adjoining Property: No significant changes were observed.  |                            |

Review of the aerial photographs revealed that the subject buildings were constructed after 1999 and prior to 2005. The aerial photographs revealed that the subject property consisted of commercial/industrial structures substantially corresponding to those depicted in the historic Sanborn maps prior to the construction of the subject buildings.

No evidence of environmental concern on or adjacent to the subject property was revealed during a review of the aerial photographs.

Copies of the aerial photographs are included in Appendix E.

### 6.3 Fire Insurance Maps

|  |               |
|--|---------------|
| Year   | 1908 and 1927 |
| Information Source   | EDR           |
| <p>Description of Subject Property: The subject property consisted of structures associated with the J.L. Mott Iron Works. A rectangular structure was observed in the northern portion of the property: three horizontal steam boilers were depicted in the eastern portion of the structure; notations indicated the presence of engines in its central portion (1908 only) and air compressors in its western portion; chimneys were depicted within the building, along its southern side. Portions of a foundry structure were located in the northwestern portion of the property; a cleaning room was observed in the central portion of the building. Hydrants were depicted within the structure. Additions to its west side were observed in the 1927 map. A rectangular structure comprised of mounting, tin and machine shops was depicted to the south of the structure housing the boilers; two elevators and two vertical pipes were located within the structure. An office and stone assembling and storage areas were located in the eastern portion of the building in the 1908 map. A rectangular enameling building was located in the southern portion of the property; enameling ovens were depicted within the south-central portion of the structure and an L-shaped furnace was depicted in its southwestern portion; numerous hydrants were depicted. An elevator was depicted along the northern wall of the structure in the 1927 map. An enameling material storage building that extended onto the westerly adjoining property, a stock room structure, a small one-story structure and an iron chimney were located along the southern property line. The eastern portion of the enameling building included: supply storage, and packing areas, an office, finishing shop, decorating shop and dry rooms. A covered bridge extending northward from the enameling structure was partially within the subject property boundaries. A railroad spur was depicted near the northeastern property line; a covered iron bridge was located near its southern terminus and adjoining the mounting shop structure. A railroad spur bordering the northwestern property line was potentially partially located within the subject property boundaries. Piping was depicted near the eastern property lines, and in the northern portion of the property, between the foundry structure and the structure to its east/northeast. Double hydrants were depicted in several locations throughout the property.</p> |               |
| <p>Addresses of Subject Property Listed on Fire/Insurance Map: No address was indicated.</p>   |               |
| <p>Description of Northerly Adjoining Property: The property consisted of structures associated with the J.L. Mott Iron Works, including an oil house (warehouse) and a brick chimney located along the northern subject property line, a portion of the foundry located partially within the subject property; a carpenter shop, railroad tracks and warehouse. Railroad tracks and the Delaware and Raritan Canal were observed to the northwest.</p>  |               |
| <p>Description of Southerly Adjoining Property: In the 1908 map, the property consisted of the Trenton Potteries Company, a stable, railroad tracks, the Delaware and Raritan Canal, Hewitt (a roadway corresponding in location to the present-day Hancock Street aka Mott Place), and undeveloped land, with Lalor Street and its intersection with Hewitt beyond. In the 1927 map, the stable was no longer present and previously undeveloped land consisted of a structure associated with the J.L. Mott Co.</p>  |               |

|   |               |
|---|---------------|
| Year  | 1908 and 1927 |
| Description of Easterly Adjoining Property: Consisted of structures associated with the J.L. Mott Iron Works, specifically a warehouse and brass shop, undeveloped land and Hewitt (a roadway corresponding in location to the present-day Hancock Street aka Mott Place), with De Klyn Avenue beyond. Concrete bridges joined the warehouse and brass shop structures to each other and to the mounting shop and enameling building located on the subject property. |               |
| Description of Westerly Adjoining Property: In the 1908 map, the property consisted of railroad tracks, followed by the Delaware and Raritan Canal, with the Trenton Fire Clay & Porcelain Company and athletic fields beyond. Structures associated with clay and porcelain manufacturing, and owned by the J.L. Mott Co. were observed beyond the Delaware and Raritan Canal in the 1927 map; the athletic field was no longer present.                             |               |

|   |                                  |
|---|----------------------------------|
| Year  | 1949, 1955, 1965, 1969, and 1977 |
| Information Source  | EDR                              |
| Description of Subject Property: The rectangular structure formerly located in the northern portion of the property that housed boilers was no longer present. The structure formerly comprised of mounting/tin shops was a printer's warehouse. An automobile garage was depicted along the northwestern property line in the 1949 map only. The former foundry structure was labeled "Fedders Quigan Corp. Mfrs. Heating Equipment." The small additions previously observed to the west side of the structure labeled as a foundry structure in earlier maps were no longer present; a small addition was observed to the west side of the structure in the 1949 map. Small additions as were observed to the north side of the building formerly labeled as an enameling building, which was labeled "Mutual-Sunset Lamp Co., Inc." factory building, built in 1915. The enameling ovens and furnace were no longer depicted; the notations in the eastern portion of the structure re: the various shops were not present. The enameling material storage and stock room structures and the small structure to their east were no longer present. A railroad spur was depicted along the southern property line. An addition comprised of a shipping room was observed to the west of the Fedders Quigan factory structure in the 1955 map; a 60-foot iron chimney was depicted to the northeast of the shipping room. In the 1965 map, Wellington Print Works, Inc. occupied at least the northeastern portion of the property, which consisted of a parking area and the structure previously labeled as a printer's warehouse; the structure, constructed in 1915, was used for plastic embossing and printing. No other significant changes were observed. |                                  |
| Addresses of Subject Property Listed on Fire/Insurance Map: No address was indicated.   |                                  |
| Description of Northerly Adjoining Property: Consisted of: a water tank; deep well pump; and rectangular structure corresponding to the oil house observed in earlier maps and associated with the Stokley Brothers & Co., Inc.; a warehouse (occupied by Sears-Roebuck in the 1949 and 1955 maps); railroad tracks; the Delaware and Raritan Canal; the R.L. Polk Directory structure; portions of the Fedders Quigan Corp. factory building; and railroad tracks. The former Polk building was occupied by the Thornwood Corp. (direct mailing) in the 1969 map, and by the Hibbert Co. in the 1977 map.  |                                  |
| Description of Southerly Adjoining Property: In the 1949 map, the former J.L. Mott Co. structure was labeled "Switlik Parachute Co. Factory Building." In the 1955 and 1965 maps, the structure was labeled as both a factory and library equipment and book storage facility. The area previously occupied by the Trenton Potteries Co. consisted of undeveloped land from the 1965 map on. No other significant changes were observed. The property consisted of stores, undeveloped land and the Switlik Parachute Co., Hancock Avenue and railroad tracks from the 1969 map on.   |                                  |
| Description of Easterly Adjoining Property: The former warehouse and brass shop were labeled "R.L. Polk Directory Mfg." and Simonize Co. factory building, respectively in the 1949 map. The former Simonize structure was vacant in the 1955, and potentially through the 1977 map. The former Polk building was occupied by the Thornwood Corp. (direct mailing) in the 1969 map, and by the Hibbert Co. in the 1977 map. The Switlik Parachute Company was observed from the 1969 map on. No other significant changes were observed.  |                                  |

|   |                                  |
|---|----------------------------------|
| Year  | 1949, 1955, 1965, 1969, and 1977 |
| Description of Westerly Adjoining Property: A gasoline tank and a small addition to the west side of the Mutual-Sunset Lamp Co. structure were observed. The portion of the former enameling material storage structure, that had been primarily located on the subject property, was no longer present. Structures observed beyond the canal were associated with the "Stokely Foods Inc. Plant No. 36 Canning Factory." No other significant changes were observed. From the 1955 map on, a proposed turnpike was depicted in the approximate location of the former canal. |                                  |

|   |               |
|---|---------------|
| Year  | 1982 and 1991 |
| Information Source  | EDR           |
| Description of Subject Property: The portions of the Fedders Quigan Corp. factory building previously observed in the northwestern portion of the property were no longer present. In the 1991 maps, the remaining structures were no longer labeled as associated with the Wellington Print Works, Inc. and the Mutual Sunset Lamp Manufacturing Co., Inc. No other significant changes were observed. |               |
| Addresses of Subject Property Listed on Fire/Insurance Map: No address was indicated.   |               |
| Description of Northerly Adjoining Property: The portions of the Fedders Quigan Corp. factory building previously observed were no longer present. No other significant changes were observed.  |               |
| Description of Southerly Adjoining Property: No significant changes were observed.  |               |
| Description of Easterly Adjoining Property: No significant changes were observed in the 1982 map. In the 1991 map, the property consisted of a warehouse, a residential health care facility, Hancock Avenue, Mott Place and a factory building.  |               |
| Description of Westerly Adjoining Property: Apartments were observed beyond the railroad tracks. The gasoline tank was not depicted in the 1991 map. No other significant changes were observed.  |               |

Review of the fire insurance maps revealed that the subject buildings were constructed after 1991. The fire insurance maps revealed that the subject property consisted of structures associated with J.L. Mott Iron Works; Fedders Quigan Corp. Mfrs. Heating Equipment; Mutual-Sunset Lamp Co., Inc.; and Wellington Print Works, Inc., including: a structure that housed boilers, engines and air compressors; portions of a foundry structure; a structure comprised of mounting, tin and machine shops (also used as a printer's warehouse and for plastic embossing and printing); an enameling building (also labeled as "factory building"); portions of an enameling material storage building; a stock room structure; a small one-story structure; iron chimneys; a covered bridge(s); railroad spurs; and an automobile garage.

Neighboring properties with known, suspected, or documented releases are discussed in Section 8.2.

Copies of the fire insurance maps are included in Appendix F.

#### 6.4 Topographic Quadrangle Map

|                                     |                          |
|-------------------------------------|--------------------------|
| Topographic Quadrangle Map Name     | Trenton West, New Jersey |
| Year published                      | 1955                     |
| Aerial photograph year map based on | 1942                     |
| Year photorevised                   | 1981                     |

|   |                                 |
|---|---------------------------------|
| Topographic Quadrangle Map Name   | <u>Trenton West, New Jersey</u> |
| Aerial photograph year photorevision based on   | 1975                            |
| Color of photorevisions   | Purple                          |
| Description of Subject Property: Consists of a purple shaded area with portions of two large seemingly industrial structures present. |                                 |
| Description of Northerly Adjoining Property: Improved with apparent industrial structures.  |                                 |
| Description of Southerly Adjoining Property: Improved with apparent industrial structures.  |                                 |
| Description of Easterly Adjoining Property: Improved with apparent industrial structures.   |                                 |
| Description of Westerly Adjoining Property: Improved with apparent industrial structures beyond the railroad tracks.                  |                                 |

No environmental concerns were identified based upon a review of the Trenton West, New Jersey topographic quadrangle map

A portion of the USGS 7.5-minute series topographic quadrangle map of Trenton West, New Jersey, which includes the subject property, is included in Appendix A.

#### 6.5 Prior Use Interviews

|  |                      |
|--|----------------------|
| Property Contact Name                  | Ms. Heather Williams |
| Association with Property              | Property Manager     |
| Years Associated with Subject Property | Since 2004           |

Property History: Ms. Williams had no knowledge of prior operations of concern or storage tanks being present at the subject property.

No environmental concerns were identified during the interview with Ms. Heather Williams.

#### 6.6 Previous Reports and Plans

DCR did not receive and is not aware of previous environmental reports or plans pertaining to the subject property.

#### 6.7 Chain of Title Information

A chain of title search for the subject property was not provided for review, nor was one requested to be ordered by the User.

#### 6.8 Activity and Use Limitations/Environmental Liens

Per ASTM E 1527-13 the User is required to provide and/or report to the environmental professional any environmental liens or AULs so identified for the subject property. The environmental professional per the ASTM practice is not responsible to undertake a review of information to identify environmental liens or AULs; however a search must be completed to



comply with the ASTM E 1527-13 standard.

Activity and Use Limitations (AULs) include both legal (institutional) and physical (engineering) controls. Agencies, organizations, and jurisdictions may define or utilize these terms differently.

The User did not provide or request DCR to coordinate with a title company or title professional to undertake a review of Recorded Land Title records and judicial records for environmental liens or AULs.

Therefore, no title records were searched and no information was provided for environmental liens and AULs which is the responsibility of the User.

It should however be noted that in New Jersey, environmental liens would be recorded against real property, even if issued through a judgment. Therefore the liens would be identified in regulatory databases reviewed as an Environmental Covenant, Deed Notice, or institutional/engineering control site/listing. As such, the lack of liens information being provided by the User is not expected to represent a data gap.

## **6.9 Other Historical Sources**

No environmentally relevant information from miscellaneous maps, newspaper archives, internet sites, community organizations, local libraries, historical societies, current owners or occupants of neighboring properties, or records in the files and/or personal knowledge of the property owner and/or occupants were provided regarding the subject property during this investigation.

## **6.10 Historical Use Summary**

Based on a review of the historical sources, the subject property consisted of structures associated with J.L. Mott Iron Works; Fedders Quigan Corp. Mfrs. Heating Equipment; Mutual-Sunset Lamp Co., Inc.; and Wellington Print Works, Inc., including: a structure that housed boilers, engines and air compressors; portions of a foundry structure; a structure comprised of mounting, tin and machine shops (also used as a printer's warehouse and for plastic embossing and printing); an enameling building (also labeled as "factory building"); portions of an enameling material storage building; a stock room structure; a small one-story structure; iron chimneys; a covered bridge(s); railroad spurs; an automobile garage, and electronics warehousing operations over time prior to becoming vacant in the late 1990s.

DCR was provided 6 pages of records exist within the SRP ISRA Division for the subject property. The records pertain to an ISRA no applicability letter associated with the parcel of the subject property known as Block 160, Lot 1. The application seemingly completed by the City of Trenton who owned the subject property noted the area to have consisted of vacant land prior to 1983. DCR notes however that this portion of the subject property was formerly occupied by a portion of the Fedders Quigan Corporation through sometime between 1927 and 1949 through sometime between 1977 and 1982. This corporation manufactured heating and air conditioning

equipment. Review of fire insurance maps revealed that a portion of the shipping center and warehouse as well the factory operations. These operations would be suspect for metals, solvent, and PCB-containing oils usage. These historical operations of potential environmental concern constitute a recognized environmental condition.

DCR notes that based on the nature of the subject buildings in this area (self-storage with no common areas and only storage units on a slab concrete foundation), coupled with the expected strong westerly gradient in this area in relation to the main subject building which contains the office area and distance from said building, potential subsurface impacts in this area as a result of these former operations would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, and as such, it is DCR's opinion that no further investigation of these prior operations is warranted at this time. DCR does note that should redevelopment of this area be proposed in the future, an investigation into potential impacts from these former operations would be warranted at that time.

Neighboring properties with known, suspected, or documented releases are discussed in Section 8.2.

Standard historical information is included in the appendices of this report.

## 7.0 INTERVIEWS

The objective of interviews is to obtain information indicating AULs, liens, and specialized knowledge, actual knowledge, experience, or commonly known knowledge concerning Recognized Environmental Conditions. Furthermore, knowledge pertaining to pending, threatened, or past environmentally-related litigations, administrative proceedings, or notice of violations of environmental laws, or possible liability relating to hazardous substances or petroleum products. DCR interviewed or made good faith efforts to interview the following individuals, based on the contact information provided by the User:

| Represents                             | Interviewed | Name, title, and contact info.      | Comments   |
|--|-------------|-------------------------------------|--|
| Current Property Owner                 | Yes         | Mr. Chris Vernon, Lator Storage     | No information or knowledge regarding the above-listed potential concerns identified during the interview. |
| Previous Property Owner                | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.      |
| Current Property Owner Representative  | Yes         | Ms. Heather Williams, Lator Storage | No information or knowledge regarding the above-listed potential concerns identified during the interview. |
| Previous Property Owner Representative | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.      |

| Represents                       | Interviewed | Name, title, and contact info.      | Comments  |
|----------------------------------|-------------|-------------------------------------|---|
| Key Site Manager                 | Yes         | Ms. Heather Williams, Lalor Storage | No information or knowledge regarding the above-listed potential concerns identified during the interview.  |
| Previous Key Site Manager        | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.   |
| Current Property Occupants       | Yes         | Ms. Heather Williams, Lalor Storage | No information or knowledge regarding the above-listed potential concerns identified during the interview.  |
| Previous Property Occupants      | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.   |
| Current Property Major Occupant  | Yes         | Ms. Heather Williams, Lalor Storage | No information or knowledge regarding the above-listed potential concerns identified during the interview.  |
| Previous Property Major Occupant | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.   |
| Current Property Operator        | Yes         | Ms. Heather Williams, Lalor Storage | No information or knowledge regarding the above-listed potential concerns identified during the interview.  |
| Previous Property Operator       | No          | Not applicable                      | User did not provide name or contact information nor did they coordinate or facilitate the interview.   |
| Neighboring Property Owner       | No          | Not applicable                      | Subject property is not considered an abandoned property where there is evidence of potential unauthorized uses of the abandoned property or evidence of uncontrolled access to the abandoned property, therefore no interview with the neighboring property owners was performed.    |
| Neighboring Property Occupants   | No          | Not applicable                      | Subject property is not considered an abandoned property where there is evidence of potential unauthorized uses of the abandoned property or evidence of uncontrolled access to the abandoned property, therefore no interview with the neighboring property occupants was performed. |

## 8.0 ENVIRONMENTAL RECORD SEARCH

### 8.1 Property-Specific Records

During the course of the assessment of the subject property, DCR contacted the following local, county, and state agencies and companies via phone, letter, or in person.

| Agency Name  | Date Contacted | Request Medium | Response date | Form of response | Summary of Response   |
|--|----------------|----------------|---------------|------------------|---|
| Mercer County Department of Health   | June 9, 2015   | Fax            | June 9, 2015  | Fax              | No records were identified for the subject property.  |
| Trenton Fire Department  | June 9, 2015   | Fax            | June 12, 2015 | Emil             | See building department row below a discussion of city records provided for review.   |
| Trenton Zoning Department  | June 9, 2015   | Online         | June 9, 2015  | Online           | The subject property is zoned BB, for business.   |
| Trenton Building Department  | June 9, 2015   | Fax            | June 12, 2015 | Emil             | <p>DCR was not provided records of environmental significance. Numerous documents were provided regarding complaints issued to the property prior to redevelopment and for the pouring of the concrete foundation floors for the self-storage subject buildings.</p> <p>DCR also reviewed records noting that by 1988, the subject property was used for warehousing only an electronics manufacturer.</p> <p>No concerns identified.</p>   |
| Tax Assessor/Tax Department -- New Jersey Association of County Tax Boards | June 9, 2015   | Online         | June 9, 2015  | Online           | <p>The New Jersey Association of County Tax Boards webpage provided DCR with a copy of a tax map for the subject property and the surrounding area and copies of the tax information cards for the subject property.</p> <p>Based on DCR review of the tax map and tax information cards, the subject property is identified as Block 18202, Lots 7, 8, 8.01, and 9; the subject property consists of a 1.73-acre parcel of land improved with several building; the gross area of the subject buildings is approximately 77,460 square feet; and the subject property was acquired by the subject property owner Lalor Storage, LLC on September 30, 1999 and March 18, 2002. Previous owners were not specified. No information on AULs or environmental liens was noted in the property tax records.</p> |
| Trenton Water Works  | June 9, 2015   | Online         | June 9, 2015  | Online           | DCR obtained a 2013 Water Quality Report from the water supplier's website.   |

| Agency Name | Date Contacted | Request Medium | Response date | Form of response | Summary of Response   |
|-------------|----------------|----------------|---------------|------------------|---|
| NJDEP       | June 9, 2015   | Online         | June 11, 2015 | Email            | <p>DCR was informed that 6 pages of records exist within the SRP ISRA Division. These records were faxed to DCR. The records pertain to an ISRA no applicability letter associated with the parcel of the subject property known as Block 160, Lot 1. The application seemingly completed by the City of Trenton who owned the subject property noted the area to have consisted of vacant land prior to 1983. DCR notes however that this portion of the subject property was formerly occupied by a portion of the Fedders Quigan Corporation through sometime between 1978 and 1983, who manufactured heating and air conditioning equipment. This former property operation is further discussed in Section 6.10.</p> <p>DCR further notes that this parcel is not the former Wellington Print Works or Mutual Lamp MFG company parcels. DCR has submitted additional OPRAs in attempt to identify records specifically in association with these ISRA cases. To date, no response has been received.</p> |

| Agency Name                  | Date Contacted   | Request Medium | Response date    | Form of response | Summary of Response  |
|------------------------------|------------------|----------------|------------------|------------------|--|
| NJ Geoweb<br>NJDEP Dataminer | June 12,<br>2015 | Online         | June 12,<br>2015 | Online           | <p>The westerly adjacent property at 312 Lalor Street was listed as a known contaminated site that is in the post-remediation/monitoring phase. This site is further discussed in Section 8.2.</p> <p>The Hancock Street unknown source listing/site is also identified to be present north of the subject property by appx. 1,000 feet, however the exact location of the (known) impacts associated with this site are not depicted. This site is further discussed in Section 8.2.</p> <p>The railroad right of way is noted as a Deed Notice site. The nature of the impacts and expected required duration of the engineering controls at the site are not disclosed. The impacts date back to 1996 per the Dataminer profile for the site. This site is further discussed in Section 8.3.</p> <p>The 11 Hancock building was also listed as a terminated UST site. This site is further discussed in Section 8.3. DCR's review of the Dataminer profile for this site revealed a case-closed 1992 LUST case to be associated with the site. Based on the status of the case, no further investigation is warranted at this time.</p> |

At the time this report was prepared, some of the above local, county, and state agencies and companies had not responded to our information request as indicated.

According to ASTM E 1527-13, Section 8.1.4.2, information that has been requested must be reasonably ascertainable as part of performing the Phase I Environmental Site Assessment. Information that is reasonably ascertainable per ASTM means that information will be provided by the source within 20 calendar days of receiving a written, telephone, or in-person request.

Copies of the letters and records of communication are included in Appendix I.

A copy of the tax map obtained from the tax assessor is included in Appendix A.

## 8.2 Environmental Database Information

As part of the Phase I Environmental Site Assessment, DCR utilized Environmental Data Resources, Inc. (EDR) of Milford, Connecticut, as an information source for regulatory agency environmental database records. The environmental database was dated June 3, 2015.

Data supplied by EDR is included in Appendix J. This database also includes the required documentation of sources checked as per Section 8.1.8 of the ASTM standard.

The following summary of the database information is divided into two columns. The first column lists sites as identified and located by EDR within the specified distance of the subject property. The second column lists orphan sites, which could not be located by EDR due to incomplete and/or inaccurate address information included in the United States Environmental Protection Agency (USEPA)/state databases, which DCR identified as potentially lying within the search distance.

Although the exact locations of the orphan sites are frequently unknown, DCR attempts to evaluate the potential adverse environmental impact that these sites may have on the subject property. This evaluation consists of reviewing street names in an effort to learn whether the street on which the site is located lies within the search distance of the subject property, a drive-by view of surrounding properties during the site visit, and evaluating the site type and information provided by government agencies. The orphan sites included in the following table are those DCR identified as potentially located within the identified search distance. A complete list of sites is included in Appendix J.

**Environmental Database Summary**

| Database  | Radius | Plottable | Orphan |
|---|--------|-----------|--------|
| National Priorities List  | 1 Mile | 0         | 0      |
| State/Tribal Hazardous Waste Sites  | 1 Mile | 61        | 0      |
| State/Tribal Hazardous Waste Re-Eval Sites                                    | 1 Mile | 2         | 0      |
| RCRA Corrective Action Treatment/Storage/Disposal (TSD) Facilities (CORRACTS) | 1 Mile | 0         | 0      |
| AUL Sites   | 1 Mile | 0         | 0      |
| ROD Sites   | 1 Mile | 0         | 0      |
| CONSENT Sites   | 1 Mile | 0         | 0      |
| US Brownfields  | 1 Mile | 3         | 0      |
| Delisted National Priorities List   | ½ Mile | 0         | 0      |
| CERCLIS Sites   | ½ Mile | 0         | 0      |
| CERCLIS No Further Remedial Action Planned (NFRAP) Sites                      | ½ Mile | 3         | 0      |
| RCRA Non-Corrective Action TSD Facilities                                     | ½ Mile | 0         | 0      |
| State/Tribal Voluntary Cleanup Sites  | ½ Mile | 4         | 0      |

| Database  | Radius                                      | Plottable | Orphan |
|---|---|-----------|--------|
| ACT-2 Deed Sites  | ½ Mile                                      | 0         | 0      |
| State/Tribal Brownfield Sites/CERCLIS Equivalent              | ½ Mile                                      | 8         | 0      |
| State/Tribal Leaking Registered Storage Tank Sites            | ½ Mile                                      | 0         | 0      |
| State/Tribal Historical Leaking Registered Storage Tank Sites | ½ Mile                                      | 14        | 0      |
| State/Tribal Leaking Unregulated LTANK Sites                  | ½ Mile                                      | 0         | 0      |
| State/Tribal Solid Waste Landfill Sites/Facilities            | ½ Mile                                      | 0         | 0      |
| Historic Landfills  | ½ Mile                                      | 0         | 0      |
| Federal/State/Tribal Engineering Controls Registries          | ½ Mile                                      | 1         | 0      |
| Federal/State/Tribal Institutional Controls Registries        | ½ Mile                                      | 0         | 0      |
| RCRA Large Quantity Generators                                | Subject Property and Neighboring Properties | 0         | 0      |
| RCRA Small Quantity Generators                                | Subject Property and Neighboring Properties | 0         | 0      |
| RCRA Conditionally Exempt Small Quantity Generators           | Subject Property and Neighboring Properties | 1         | 0      |
| RCRA Non-Generators   | Subject Property and Neighboring Properties | 2         | 0      |
| State/Tribal Registered Storage Tank Sites                    | Subject Property and Neighboring Properties | 1         | 0      |
| Manifest  | Subject Property                            | 0         | 0      |
| Spill/Release Sites   | Subject Property                            | 0         | 0      |
| Facility Index System(FINDS)                                  | Subject Property                            | 1         | 0      |
| Emergency Response Notification System                        | Subject Property                            | 0         | 0      |
| ISRA  | Subject Property                            | 1         | 0      |

### Database Summary

A complete copy of the database report is attached as an appendix to this report. Those sites noted within the search radius with a closed status from regulators, or not listed with known, documented, or suspected release sites will not be discussed below but can be referred to in the database report. The above sites are not expected to significantly impact the subject property based on the regulatory status listed. In addition, those remaining sites which are expected to be hydraulically downgradient, at a sufficient distance from the subject property, or due to the urban setting and density of the area, will not be discussed below but can be referred to in the database report. These above sites are not expected to significantly impact the subject property based on the above factors and as per ASTM E 1527-13.

The following is a discussion of the database findings:



### Subject Property

The subject property was listed as a US Brownfields, RCRA Non-generator, ISRA, and Facility Index System (FINDS) site in the environmental database. These listings are discussed below.

### Adjoining Properties

The adjoining properties were identified in the environmental database or in the non-ASTM databases that were searched in the EDR database as noted in Section 5.0. These listings are discussed below.

### State/Tribal Hazardous Waste Sites

1.     Site Name:                     312 Lalor Street  
       Address:                     312 Lalor Street  
                                      Trenton, NJ  
       Facility ID No.:             534777  
       Case No.:                    Not reported  
       Distance:                    Adjacent property  
       Direction:                   West  
       Gradient:                    Downgradient  
       Status:                      Restricted use Response Action outcome as of April 14, 2011  
       Lead/ Contact:               LSRP  
       Potential for Impact:       Low, due to status, gradient, and distance. No further investigation is warranted at this time.
  
2.     Site Name:                   Hancock Street  
       Address:                    Hancock Street  
                                      Trenton, NJ  
       Facility ID No.:             G000010318  
       Case No.:                    Not reported  
       Distance:                    Nearby property  
       Direction:                   North  
       Gradient:                    Lateral  
       Status:                      Pending/Awaiting assignment as of 1993  
       Lead/ Contact:               NJDEP  
       Potential for Impact:       See discussion below.

DCR identified a State Hazardous Waste Site (SWHS) listing in regards to an unknown source release that is noted to have been identified on the north portion of Hancock Street, approximately 1,000-feet north of the subject property per EDR and NJDEP plots of the site. Based on the information included in the EDR listing and NJDEP Dataminer profile, no investigations have occurred in regards to the impacts found at this site since being identified in 1993. The nature of the known impacts was not identified in the listings reviewed. DCR notes that the expected gradient in the area of the subject property and this nearby property is heavily to the west, towards the Delaware River, which is nearby. DCR notes that review of historical

imagery places the known buildings associated with this nearby property (and therefore potential source of these discovered impacts) to have come within 600 feet of the north subject property boundary, with a former food warehouse lying in between the nearby site and the subject property historically. Based on the distance of the extent of the operations at this nearby release site as well as the expected strong westerly gradient, it is DCR's opinion that no further investigation of this nearby release site is warranted at this time.

#### US Brownfield Sites

- |    |                       |                            |
|----|-----------------------|----------------------------|
| 1. | Site Name:            | Wellington (Mott Property) |
|    | Address:              | 40 Mott Street             |
|    |                       | Trenton, NJ                |
|    | Facility ID No.:      | 13133                      |
|    | Case No.:             | Not reported               |
|    | Distance:             | Subject property           |
|    | Direction:            | Subject property           |
|    | Gradient:             | Subject property           |
|    | Status:               | USEPA                      |
|    | Lead/ Contact:        | City of Trenton/USEPA      |
|    | Potential for Impact: | See discussion below.      |

The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Wellington Print Works Inc. vacating and selling the subject property in circa 1985-86. The case seemingly dates back to 1985 based on its ISRA Activity Number, E85524. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP, two subsequent site inspections were performed and then a no further action letter was issued on June 12, 1986. The Dataminer profile further notes in the "confirmed contamination" a response of "questionable/historic". The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment and Site Inspection Reports approved by the NJDEP.

DCR's review of the regulatory databases revealed that the subject property is also listed as a US Brownfields site. DCR's review of the USEPA Brownfields progress tracker for this subject property listing on the USEPA Assessment, Cleanup, and Redevelopment Exchange System (ACRES) website noted that the assessment stage of the Brownfield process was complete however the cleanup stage had yet to be initiated, nor had potential engineering/institutional controls been applied to the property, or redevelopment started. The profile noted that apparently in March 2002 the City of Trenton was provided a grant to coordinate/perform a Phase I ESA at the subject property for the assessment phase of the Brownfield process. In the assessment summary profile, it is noted that upon conclusion of the assessment phase, it was determined that cleanup is required at the subject property. DCR notes that seemingly this assessment by the USEPA was performed after the No Further Action ISRA Determination from the NJDEP was issued in June 1986.

DCR notes that a file review of NJDEP and USEPA records would be needed in attempt to obtain additional specifics regarding these known assessments conducted at the subject property.

**Resource Conservation and Recovery Act Conditionally Exempt Small Quantity Generator**

1. Site Name: Switlik Parachute Co. Inc.  
Address: Lalor and Hancock Street (480 Lalor)  
Trenton, NJ  
Facility ID No.: NJD002354165  
Distance: Adjacent property  
Direction: Southeast  
Gradient: Lateral  
Reported Waste Codes: D000, D001, and U220  
Violations: Various, informal dating back to 1994

**Resource Conservation and Recovery Act Non-Generators**

1. Site Name: Wellington Print Works  
Address: Lalor and Hancock Street  
Trenton, NJ  
Facility ID No.: NJD120579925  
Distance: Subject property  
Direction: Subject property  
Gradient: Subject property  
Reported Waste Codes: None reported  
Violations: No violations found

The subject property was a small quantity generator as of 1986 when an initial RCRA form was submitted to the USEPA. No violations were identified in association with the known prior SQG registration per the EDR listing. A known US Brownfield listing associated with the historical print works operations at the subject property are discussed above.

2. Site Name: Mutual Sunset Lamp MFG Co. Inc.  
Address: Lalor and Hancock Street  
Trenton, NJ  
Facility ID No.: NJD002342855  
Distance: Subject property  
Direction: Subject property  
Gradient: Subject property  
Reported Waste Codes: F001 and F007  
Violations: No violations found

An ISRA case associated with this former subject property tenant is discussed below.

### State/Tribal Registered Storage Tanks

1.     Site Name:                   Mott School  
       Address:                   40 Stokely Avenue  
                                  Trenton, NJ  
       Facility ID No.:           026763  
       Distance:                  Adjacent property  
       Direction:                 West  
       Gradient:                  Downgradient  
       No. of Tanks:              One removed UST  
       Contents:                  Diesel

This site is also listed as a NJ Brownfield site in association with a historical release from this UST which affected soils only per the EDR listing. DCR further notes that review of the NJDEP Dataminer profile for the site confirmed that the release case is closed and affected only soils. Based on the aforementioned, no further investigation of this known release site is warranted at this time.

As the NJ Brownfield listing is discussed above, it will not be discussed separately in this section.

### FINDS

1.     Site Name:                   Wellington (Mott Property)  
       Address:                   40 Mott Street  
                                  Trenton, NJ  
       Facility ID No.:           13133  
       FINDS System Program:     USEPA Assessment, Cleanup and Redevelopment  
                                  Exchange System (ACRES)

The Brownfields listing is further discussed above.

### ISRA

1.     Site Name:                   Wellington Print Works  
       Address:                   Lalor and Hancock Street  
                                  Trenton, NJ  
       PI No.:                    G000004232  
       Status:                    No further action.

See discussion beneath the US Brownfields listing above.

2.     Site Name:                   Mutual Sunset Lamp MFG Co. Inc.  
       Address:                   Lalor and Hancock Street  
                                  Trenton, NJ

2015125

26

PI No.:

G000001860

Status:

No further action as of December 13, 1985

The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Mutual Sunset Lamp MFG Co. Inc. vacating and selling the southern parcel of the subject property in circa 1985. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP and a no further action letter was issued December 13, 1985. The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment approved by the NJDEP. As such, DCR notes that a file review of available NJDEP records pertaining to this case would be required to confirm that no subsurface impacts were allowed to remain in place above current NJDEP remedial standards, which would therefore constitute a REC. DCR does note however that it is their opinion that potential residual concentrations of contaminants allowed to remain in place at the time of this ISRA case closure in 1985 would not be expected to pose a significant threat to the current commercial operations at the subject property which is entirely paved and does not utilize groundwater.

### 8.3 Local Lists

The below local types of records were researched or requested from third parties, the Key Site Manager or local regulatory agencies:

- Local Brownfield Lists
- Local Lists of Landfill/Solid Waste Disposal Sites
- Local Lists of Hazardous Waste/Contaminated Sites
- Local Lists of Registered Storage Tanks
- Local Land Records (For AULs)
- Records of Emergency Release Reports
- Records of Contaminated Public Wells

The above information is discussed in 8.1 and within 8.2 and was duplicative of those sections with the exception of the below information:

The adjacent property across Hancock Street at 11 Hancock was listed as a UST site in the NJ Geoweb mapper. Further research on the NJDEP Dataminer database revealed that the site is a case-closed LUST site in association with a 1993 release from a diesel UST. Based on the status of this case, no further investigation is warranted at this time.

Additionally, the railroad right of way to the west is noted as a Deed Notice site on the NJ Geoweb Mapper. The nature of the impacts and expected required duration of the engineering controls at the site are not disclosed. The impacts date back to 1996 per the Dataminer profile for the site. Furthermore, the profile notes that the site is in the post No Further Action monitoring stage. Based on the regulatory status of this adjacent deed notice site, the impacts at this adjacent site appear to have been fully delineated and as such it is DCR's opinion that no further investigation is warranted at this time.

2015125

27

#### 8.4 Database Proprietary Lists

The subject property and the adjoining properties were listed in the EDR Proprietary Records searched. Further information regarding these listings is provided below.

##### EDR Historical Cleaners

- |    |                     |                                 |
|----|---------------------|---------------------------------|
| 1. | Site Name:          | 40 Mott Street                  |
|    | Address:            | 40 Mott Street                  |
|    | Facility ID No.:    | Not applicable                  |
|    | Distance:           | Subject property                |
|    | Direction:          | Subject property                |
|    | Gradient:           | Subject property                |
|    | Operator(s):        | Laundry Solutions of Mercer LLC |
|    | Years of operation: | 2012                            |

A known US Brownfields and ISRA listings pertaining to historical tenants at the subject property are discussed above. No further investigation of the tenant operations associated with this listing is warranted however.

- |    |                     |                              |
|----|---------------------|------------------------------|
| 2. | Site Name:          | 410 Lalor Street             |
|    | Address:            | 410 Lalor Street             |
|    | Facility ID No.:    | Not applicable               |
|    | Distance:           | Adjoining property           |
|    | Direction:          | South                        |
|    | Gradient:           | Lateral                      |
|    | Operator(s):        | Lalor Laundromat/Laundry LLC |
|    | Years of operation: | 1999-2008                    |

As this site is not associated with known, suspected, or documented releases, no further investigation is warranted at this time.

#### 8.5 Prior Release of Hazardous Substances or Petroleum-Vapor Migration

According to ASTM 2600 – 10 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, “the presence or likely presence of chemicals of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property represent a risk from vapor encroachment”.

Based on standard sources reviewed and observations made during the property visit, significant releases of chemicals of concern may have occurred on the subject property. Significant releases of chemicals of concern have occurred on the neighboring properties. These releases are further

## 8.6 Transfer Act

Based on the operations observed during the June 11, 2015 property visit, the NAICS for the subject property is expected to be 531130, self-storage unit rental, and 812310, laundromats. Based on the expected NAICS, the subject property is not expected to be subject to the provisions of ISRA at this time.

## 9.0 PROPERTY VISIT

|  |                                       |
|--|---------------------------------------|
| Property Visit Date  | June 12, 2015                         |
| DCR Personnel  | Mr. Richard Bapst                     |
| Property Escort Name   | Ms. Heather Williams                  |
| Property Escort Title  | Manager                               |
| Property Escort Company  | Lalor Storage                         |
| Property Escort Affiliation  | Manager                               |
| Property Escort Years of Association with Subject Property: Since 2004   |                                       |
| The Key Site Manager questionnaire (KSM) was completed verbally at the time of the property visit by the above escort.   |                                       |
| Inaccessible Areas and Reason: Occupied storage units and elevator pit as no key is maintained.  |                                       |
| Weather Conditions: Clear  | Approximate Temperature: 90 degrees F |
| No weather conditions limiting observations were noted.  |                                       |
| Describe Limiting Conditions Present: Storage of materials along some of the basement walls and floor area including within the boiler room did not allow DCR to observe the entirety of the wall and floor surface areas within these locations of the main subject building. |                                       |

DCR observed the following areas during the property visit:

- Office, self-storage, laundry, vacant fourth floor, elevator machine room, and basement areas of the main subject building
- Storage units 2104 and 224
- Exterior grounds to the extent visible
- Neighboring properties from the subject property

Photographs taken during the property visit are included in Appendix C.

### 9.1 ASTM Scope Considerations

During the property visit the below ASTM Scope considerations were reviewed. Visual evidence of the below ASTM Scope considerations were evaluated during the property visit. In addition, the property contact or Key Site Manager was questioned about the presence of the below ASTM Scope items.

| ASTM Scope Item   | Evidence Observed | Property Contact Aware of Item | Comment  |
|---|-------------------|--------------------------------|--|
| USTs  | No                | No                             | See discussion below.  |
| ASTs  | No                | No                             | See discussion below.  |
| PCB electrical equipment  | No                | No                             | DCR observed a utility-owned, pole-mounted transformer adjacent the water tower and a set of three along the railroad tracks property line. No staining was observed in the vicinity of the transformers, which were marked as non-PCB. No concerns identified.  |
| Hydraulic equipment   | Yes               | Yes                            | DCR observed a single hydraulic elevator to service the main subject building. The elevator machine room was accessed and no evidences of spills were observed in the area of the reservoir. The elevator is routinely serviced by Thyssen Krupp.<br><br>DCR also observed equipment associated with historical cable-drive elevators in the main subject building.<br><br>No concerns identified. |
| Chemicals, Hazardous Materials, and Raw Materials Storage and Usage | Yes               | Yes                            | DCR observed retail-sized containers of cleaners, maintenance materials, and auto fluids. No concerns identified.<br><br>DCR also observed 15-gallon containers of detergents, hypochlorite, de-stainer, safety bleach and chloraway in association with the laundry operations. No spillages or staining was observed in the vicinity of  |



| ASTM Scope Item                         | Evidence Observed | Property Contact Aware of Item | Comment   |
|---|-------------------|--------------------------------|---|
|   |                   |                                | these non-hazardous materials. No concerns identified.  |
| Waste Generation, Storage and Disposal  | Yes               | Yes                            | Solid waste is generated and stored in a trash can. No concerns identified.   |
| Wells, Sumps, Pits, and Floor Drains    | Yes               | Yes                            | See discussion below.   |
| Stormwater Runoff and Surface Water     | Yes               | Yes                            | Storm water exits the subject property via overland flow to on-property and adjoining storm water drains. No concerns identified. |
| Lagoons, Septic Systems, Separators     | No                | No                             | None observed or reported, no concerns identified.  |
| Stressed Vegetation, Staining and Odors | No                | No                             | None observed or reported, no concerns identified.  |
| Surficial Disturbances                  | No                | No                             | None observed or reported, no concerns identified.  |
| On-property Dry Cleaners                | No                | No                             | None observed or reported, no concerns identified.  |

No issues of potential concern were noted during the property visit with the exception of the following:

#### Storage Tanks

DCR observed the historical boiler within the basement of the main subject building. Seemingly a three-quarter to one-inch fuel supply line had been snipped from the side of the boiler adjacent a suspected oil filter unit. Staining was present atop this pipe. DCR did not observe evidence of current or former storage tanks in the boiler room area, although it is noted that materials storage in the room blocked a significant portion of the floor surface and wall surface areas. No vent pipes or fill ports or evidence of said features were observed on the outside walls of the subject building. DCR did not identify records with the city regarding storage tanks. The records reviewed dated back to at least 1988. DCR notes that the inability to confirm the heat (fuel) source for the historical main subject building boiler represents a significant data gap. DCR further notes the potential for heating oil and associated storage tanks to have been utilized at the other historical subject property structures, although it is also noted that reportedly, no USTs were encountered during the pouring of the self-storage building foundations, which included an excavation of the surficial layer in the areas of these buildings.

DCR notes that as no evidence of remaining in place storage tanks was observed or reported, and as potential historical impacts from previously removed/abandoned storage tanks would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, it is DCR's opinion that no further investigation of this significant data gap is warranted at this time. DCR does note however that if historical USTs or associated impacts are identified during future redevelopment activities, they will need to be handled in accordance with applicable regulations. DCR further notes that a review of the Preliminary Assessment reports prepared for the historical subject property operations could include information pertaining to potential former heating oil usage at the subject property.

2015125

31

## Wells, Sumps, Pits, and Floor Drains

DCR observed a pit which contained the historical boiler. No concerns were identified in association with this pit. A potential former heating oil storage tank associated with the boiler is discussed in the storage tanks section above.

DCR observed a pit within the boiler room, approximately 25 feet from the boiler, along the wall of the subject building. Half of the pit contained a steel liner, while the other had the concrete base exposed. DCR did not observe significant staining or cracking within the exposed portions of the pit. DCR could not identify potential inlets or outlets within the pit. While DCR expects that this pit area would have been identified as an area of concern and addressed during the Preliminary Assessment prepared for the case-closed ISRA case and/or the USEPA Phase I ESA associated with the main subject building upon cessation of operations by Wellington Print Works back in the 1980s, a file review of known conducted prior NJDEP/USEPA assessments would be needed to attempt to identify the former nature of this pit and whether it has been investigated to date/warranted being investigated/warrants being investigated further.

Also a pit is associated with the hydraulic elevator, however as no key was available for this area, it was unable to be observed by DCR. As the elevator is routinely maintained by a third party professional, DCR does not expect this lack of access to constitute a significant limitation to the property visit.

## 9.2 ASTM Non-Scope Considerations

During the property visit and investigation the below ASTM Non-Scope considerations were reviewed. Visual evidence of the below ASTM Non-Scope considerations were evaluated during the property visit. In addition, the property contact or Key Site Manager was questioned about the presence of the below ASTM Non-Scope items.

| ASTM Non-Scope Item           | Evidence Observed | Property Contact Aware of Item | Comment  |
|-------------------------------|-------------------|--------------------------------|--|
| Asbestos-Containing Materials | Yes               | No                             | See discussion below.  |
| Radon                         | No                | No                             | Radon Zone 1 (High Potential)<br><br>Based on the commercial/industrial use of the subject property, radon is not expected to be of significant environmental concern at the subject property. |
| Lead-Based Paint              | Yes               | No                             | Non-residential use and no proposed demolition/renovations; therefore, no further action at this time.   |
| Lead in Drinking Water        | Not applicable    | No                             | Supplier is in compliance with lead and copper rule; no further action at this time.   |
| Potential Wetlands            | No                | No                             | None observed. None indicated on US  |

|                      |     |    |  |
|----------------------|-----|----|--|
|                      |     |    | Dept. of Interior NWI Map.   |
| Air Emissions        | Yes | No | DCR observed a natural-gas fired boiler within the Laundry Solutions tenant space. Based on the size of the boiler it is not expected to require permitting. No concerns identified.<br><br>A historical boiler observed is discussed in Section 9.1 above.          |
| Mold/Water Intrusion | Yes | No | Only minor evidence of water intrusion was observed – less than 5 s.f. per area and 30 s.f. for the property. The intrusions were limited to through basement walls along the Mott Place side of the subject building.<br><br>No potential mold growth was observed. |

No issues of concern were noted during the property visit with the exception of the following:

#### Asbestos-Containing Materials

During the course of the property visit, DCR performed a preliminary review of interior, accessible areas of the subject building for the presence of suspect asbestos-containing materials (ACMs). This limited review was conducted for overview purposes only; additional suspect materials may exist in concealed locations (behind walls and above ceilings, within machinery, etc.). Also, not all suspect materials may have been sampled due to the condition or the location of the suspect materials. Destructive sampling of suspect ACMs was not performed. Suspect ACMs in an overall undamaged condition were not sampled, as that will damage the materials. DCR will not be responsible for damaging materials or causing the materials to become friable. The USEPA defines asbestos-containing material as material containing greater than one percent asbestos. This review was not a pre-demolition/renovation survey or for regulatory submittal purposes.

DCR notes that based on the date of redevelopment/construction of the subject buildings (2002), finishing materials observed including drywall and 12"x12" vinyl floor tile would not be expected to contain asbestos. DCR did however observed 2 linear feet of what appeared to be air-cell pipe insulation that was left in place during a prior removal event, in addition to expected asbestos-containing materials within the historical boiler which remains at the subject property. This insulation was observed in the basement, along the Mott Place side of the main subject building.

Currently, there are no regulations requiring the removal of ACM unless it will be disturbed during renovation, repairs, or demolition. The USEPA recommends that as long as the ACM does not pose an imminent health threat, the materials can be managed under an Operations and Maintenance (O&M) Plan.

## 10.0 CONCLUSIONS AND RECOMMENDATIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of Lalor Storage located at 40 and 50 (even) Mott Place in Trenton, Mercer County, New Jersey 08611. Any exceptions to, or deletions from, this practice are described in Section 1.0 of this report. This assessment has revealed the following evidence of recognized environmental conditions in connection with the subject property:

1. DCR was provided 6 pages of records exist within the SRP ISRA Division for the subject property. The records pertain to an ISRA no applicability letter associated with the parcel of the subject property known as Block 160, Lot 1. The application seemingly completed by the City of Trenton who owned the subject property noted the area to have consisted of vacant land prior to 1983. DCR notes however that this portion of the subject property was formerly occupied by a portion of the Fedders Quigan Corporation through sometime between 1927 and 1949 through sometime between 1977 and 1982. This corporation manufactured heating and air conditioning equipment. Review of fire insurance maps revealed that a portion of the shipping center and warehouse as well the factory operations. These operations would be suspect for metals, solvent, and PCB-containing oils usage. These historical operations of potential environmental concern constitute a recognized environmental condition.

DCR notes that based on the nature of the subject buildings in this area (self-storage with no common areas and only storage units on a slab concrete foundation), coupled with the expected strong westerly gradient in this area in relation to the main subject building which contains the office area and distance from said building, potential subsurface impacts in this area as a result of these former operations would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, and as such, it is DCR's opinion that no further investigation of these prior operations is warranted at this time. DCR does note that should redevelopment of this area be proposed in the future, an investigation into potential impacts from these former operations would be warranted at that time.

2. The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Wellington Print Works Inc. vacating and selling the subject property in circa 1985-86. The case seemingly dates back to 1985 based on its ISRA Activity Number, E85524. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP, two subsequent site inspections were performed and then a no further action letter was issued on June 12, 1986. The Dataminer profile further notes in the "confirmed contamination" a response of "questionable/historic". The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment and Site Inspection Reports approved by the NJDEP.

DCR's review of the regulatory databases revealed that the subject property is also listed as a US Brownfields site. DCR's review of the USEPA Brownfields progress tracker for this

subject property listing on the USEPA Assessment, Cleanup, and Redevelopment Exchange System (ACRES) website noted that the assessment stage of the Brownfield process was complete however the cleanup stage had yet to be initiated, nor had potential engineering/institutional controls been applied to the property, or redevelopment started. The profile noted that apparently in March 2002 the City of Trenton was provided a grant to coordinate/perform a Phase I ESA at the subject property for the assessment phase of the Brownfield process. In the assessment summary profile, it is noted that upon conclusion of the assessment phase, it was determined that cleanup is required at the subject property. DCR notes that seemingly this assessment by the USEPA was performed after the No Further Action ISRA Determination from the NJDEP was issued in June 1986.

DCR notes that a file review of NJDEP and USEPA records would be needed in attempt to obtain additional specifics regarding these known assessments conducted at the subject property.

3. The subject property was listed as an ISRA site in the regulatory databases reviewed. This case was triggered upon the former tenant, Mutual Sunset Lamp MFG Co. Inc. vacating and selling the southern parcel of the subject property in circa 1985. Per the NJDEP Dataminer profile for this case, a Preliminary Assessment was submitted and approved by the NJDEP and a no further action letter was issued December 13, 1985. The Dataminer profile does not specify whether impacts were identified and/or allowed to be left in the subsurface of the subject property during the Preliminary Assessment approved by the NJDEP. As such, DCR notes that a file review of available NJDEP records pertaining to this case would be required to confirm that no subsurface impacts were allowed to remain in place above current NJDEP remedial standards, which would therefore constitute a REC. DCR does note however that it is their opinion that potential residual concentrations of contaminants allowed to remain in place at the time of this ISRA case closure in 1985 would not be expected to pose a significant threat to the current commercial operations at the subject property which is entirely paved and does not utilize groundwater.
4. DCR observed a pit within the boiler room, approximately 25 feet from the boiler, along the wall of the subject building. Half of the pit contained a steel liner, while the other had the concrete base exposed. DCR did not observe significant staining or cracking within the exposed portions of the pit. DCR could not identify potential inlets or outlets within the pit. While DCR expects that this pit area would have been identified as an area of concern and addressed during the Preliminary Assessment prepared for the case-closed ISRA case and/or the USEPA Phase I ESA associated with the main subject building upon cessation of operations by Wellington Print Works back in the 1980s, a file review of known conducted prior NJDEP/USEPA assessments would be needed to attempt to identify the former nature of this pit and whether it has been investigated to date/warranted being investigated/warrants being investigated further.

#### ASTM Non-Scope/Significant Data Gaps/BMP/Other Environmental/Regulatory Considerations

The following Non-ASTM Scope, Significant Data Gaps, best management practice, and/or other environmental/regulatory considerations were identified at the subject property based on the findings provided in this report:

5. DCR observed the historical boiler within the basement of the main subject building. Seemingly a three-quarter to one-inch fuel supply line had been snipped from the side of the boiler adjacent a suspected oil filter unit. Staining was present atop this pipe. DCR did not observe evidence of current or former storage tanks in the boiler room area, although it is noted that materials storage in the room blocked a significant portion of the floor surface and wall surface areas. No vent pipes or fill ports or evidence of said features were observed on the outside walls of the subject building. DCR did not identify records with the city regarding storage tanks. The records reviewed dated back to at least 1988. DCR notes that the inability to confirm the heat (fuel) source for the historical main subject building boiler represents a significant data gap. DCR further notes the potential for heating oil and associated storage tanks to have been utilized at the other historical subject property structures, although it is also noted that reportedly, no USTs were encountered during the pouring of the self-storage building foundations, which included an excavation of the surficial layer in the areas of these buildings.

DCR notes that as no evidence of remaining in place storage tanks was observed or reported, and as potential historical impacts from previously removed/abandoned storage tanks would not be expected to pose a significant threat to the current operations at the subject property which is entirely paved and does not utilize groundwater, it is DCR's opinion that no further investigation of this significant data gap is warranted at this time. DCR does note however that if historical USTs or associated impacts are identified during future redevelopment activities, they will need to be handled in accordance with applicable regulations. DCR further notes that a review of the Preliminary Assessment reports prepared for the historical subject property operations could include information pertaining to potential former heating oil usage at the subject property.

6. DCR notes that based on the date of redevelopment/construction of the subject buildings (2002), finishing materials observed including drywall and 12"x12" vinyl floor tile would not be expected to contain asbestos. DCR did however observed 2 linear feet of what appeared to be air-cell pipe insulation that was left in place during a prior removal event, in addition to expected asbestos-containing materials within the historical boiler which remains at the subject property. This insulation was observed in the basement, along the Mott Place side of the main subject building.

Currently, there are no regulations requiring the removal of ACM unless it will be disturbed during renovation, repairs, or demolition. The USEPA recommends that as long as the ACM does not pose an imminent health threat, the materials can be managed under an Operations and Maintenance (O&M) Plan.

## 11.0 REFERENCES

### 11.1 Information Sources

1. United States Geological Survey's 7.5-minute topographic quadrangle map of Trenton West, New Jersey.
2. NCRS Web Soil Survey – <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.
3. Geologic Map of New Jersey produced by the New Jersey Geological Survey.
4. United States Department of the Interior, National Wetland Inventory Map for Trenton West, New Jersey.
5. National Water Summary 1986 – Hydrologic Events and Groundwater Quality, dated 1988, produced by the United States Geological Survey.
6. 2013 Water Quality Report, Trenton Water Works.
7. USEPA's Map of Radon Zones produced by the USEPA.
8. Aerial photographs provided by Environmental Data Resources, Inc.
9. EDR City Directories.
10. Fire insurance maps, provided by Environmental Data Resources, Inc.
11. The EDR Radius Map with GeoCheck, produced by Environmental Data Resources, Inc.
12. Envirofacts Data Warehouse, produced by USEPA.
13. NJDEP Dataminer
14. NJ Geoweb
15. NJACTB
16. City of Trenton OPRA
17. Mercer County Health Dept. OPRA

### 11.2 Purpose

The purpose of a Phase I Environmental Site Assessment is to evaluate issues that may have an impact on the subject property. The purpose of the ASTM E 1527-13 practice is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) and petroleum products. As such, this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (hereinafter, the "landowner liability protections," or "LLPs"); that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice as defined at 42 U.S.C. §9601(35)(B). Controlled substances are not included within the scope of this standard. Persons conducting an environmental site assessment as part of an EPA Brownfields Assessment and Characterization Grant awarded under CERCLA 42 U.S.C. §9604(k)(2)(B) must include controlled substances as defined in the Controlled Substances Act (21 U.S.C. §802) within the scope of the assessment

investigations to the extent directed in the terms and conditions of the specific grant or cooperative agreement. Additionally, an evaluation of business environmental risk associated with a parcel of commercial real estate may necessitate investigation beyond that identified in this practice.

The ASTM E 1527-13 practice DOES NOT address requirements of any state or local laws or of any federal laws other than the all appropriate inquiries provision of the LLPs. Per the ASTM Standard, Users are cautioned that federal, state, and local laws may impose Environmental Site Assessment obligations that are beyond the scope of this practice. Users should also be aware that there are likely to be other legal obligations with regard to hazardous substances or petroleum products discovered on the property that are not addressed in the ASTM practice and that may pose risks of civil and/or criminal sanctions for non-compliance.

### 11.3 Scope of Work

This Phase I Environmental Site Assessment was conducted in accordance with the following Scope of Work:

1. Requested user to complete questionnaire and provide all user required information.
2. Researched and reviewed available information regarding past owners and occupants of the subject property to assess the potential for contamination resulting from prior on-property activities. Aerial photographs, city directories, topographic maps, interviews and fire insurance maps were utilized, as available. An environmental liens/AUL search was reviewed as provided by the User, or as authorized to obtain on behalf of the user. A Chain-of-title was reviewed if provided by the Client/user.
3. Researched available information regarding immediately adjacent properties for evidence of contamination that could impact the subject property, including potential vapor migration.
4. Interviewed available persons familiar with current and former on-property activities for relevant information regarding potential environmental concerns as coordinated by the Client/User.
5. Reviewed federal and state regulatory agency database information for the subject property and neighboring properties to identify potential concerns that could adversely affect the environmental condition of the subject property. The database review included, but was not limited to, a review of the following lists: United States Environmental Protection Agency (USEPA) National Priorities List (NPL) Sites, Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Sites, State Hazardous Waste Sites, Resource Conservation and Recovery Act Information System (RCRIS) Corrective Action, Generator, and Treatment/Storage/Disposal (TSD) Sites, Leaking Registered Storage Tank (LRST) Sites,



Registered Storage Tank (RST) Sites, landfills, and Emergency Response Notification System (ERNS) Sites. Contacted federal, state, and local regulatory agencies.

6. Performed a property visit to identify areas of potential environmental concern such as the bulk storage of regulated substances, underground/aboveground storage tanks, asbestos-containing materials, electrical transformers, and process-related wastes. To the extent possible, a review of immediately adjacent properties was also performed from the subject property and public thoroughfares. The property visit was performed using grid patterns across the property (as easily accessible) and through other systematic means. Findings and conditions were made only to the extent that they were visually and/or physically observed during the property visit.
7. Prepared a technical Phase I Environmental Site Assessment report to document the findings regarding the current environmental condition of the subject property. If warranted, the report contains recommendations for further action. In addition to ASTM scope items, the following ASTM non-scope items were discussed and included in the report based upon a limited review: asbestos containing materials, radon, lead-based paint, lead in drinking water, potential wetlands, air emissions, and mold/water intrusion.

#### **11.4 Significant Assumptions**

The following assumptions are made by DCR in this report. DCR relied on information derived from secondary sources including governmental agencies, the Client (User), designated representatives of the Client (User), property contact, property owner, property owner representatives, computer databases, and personal interviews. Except as set forth in this report, DCR has made no independent investigation as to the accuracy and completeness of the information derived from secondary sources including government agencies, the Client, designated representatives of the Client, property contact, property owner, property owner representatives, computer databases, or personal interviews and has assumed that such information is accurate and complete. DCR assumes information provided by or obtained from governmental agencies including information obtained from government websites is accurate and complete. Groundwater flow and depth to groundwater, unless otherwise specified by on-property well data, are assumed based on contours depicted on the United States Geological Survey topographic maps. DCR assumes the property has been correctly and accurately identified by the Client (User), designated representative of the Client (User), property contact, property owner, and property owner's representatives. DCR assumes that the Client (User), Client representatives, Client Legal Counsel, designated representatives of the Client, Key Site Manager, property contact, property owner, property owner representatives, and property brokers, used good faith in answering questions and in obtaining information for the subject property as defined in 10.8 of the ASTM E 1527-13 practice. This would also include obtaining those helpful documents from previous owners, operators, tenants, brokers, financial institutions etc. DCR also assumes the Client will designate appropriate and knowledgeable people for performance of the Phase I Environmental Site Assessment including Key Site Managers.

## 11.5 Limitations and Exceptions of the Assessment

The findings, observations, conclusions, and recommendations of this report are limited by the contract technical requirements and the methods used to perform the services outlined in the scope of work. These services have been performed in accordance with the described scope for Phase I Environmental Site Assessment s. In order to perform a comprehensive environmental evaluation, subsurface investigation and testing would be required to definitively evaluate whether contamination has affected the subject property. Therefore, the findings, conclusions, and recommendations presented herein are based solely on the scope of work previously described and information gathered. Incomplete or outstanding information identified throughout the body of this report including data gaps is considered a limitation to the assessment. Limitations to the assessment also include weather conditions, vegetation cover, parked cars, trucks, dumpsters, and anything limiting visual observation of or physical access to the subject property and neighboring properties. Vapor intrusion is not included in this scope of services and is considered an ASTM Non-scope consideration. This report and scope is not an environmental compliance audit.

No Environmental Site Assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of the ASTM practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and the ASTM practice recognizes reasonable limits of time and cost.

“Appropriate inquiries” does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an Environmental Site Assessment and reducing uncertainty about unknown conditions resulting from additional information.

Subject to Section 4.8 of the ASTM E 1527-13 Standard, an environmental site assessment meeting or exceeding the practice and completed less than 180 days prior to the date of acquisition of the property or (for transactions not involving an acquisition) the date of the intended transaction is presumed to be valid. If within this period the assessment will be used by a different user than the user (Client) for whom the assessment was originally prepared, the subsequent user (if authorized to rely on the report as identified in Section 1.6 Reliance of this report) must also satisfy the User’s Responsibilities in Section 6 of the ASTM E 1527-13 standard. If this assessment is over 180 days old it is not valid and a new assessment should be performed per the ASTM standard.

All findings, conclusions, and recommendations stated in this report are based upon facts, circumstances, and industry-accepted procedures for such services as they existed at the time this report was prepared (i.e., federal, state, and local laws, rules, regulations, market conditions, economic conditions, political climate, and other applicable matters). All findings, conclusions,

and recommendations stated in this report are based on the data and information provided, and observations and conditions that existed on the date and time of the property visit. Responses received from interviewees, the user, local, state, or federal agencies or other secondary sources of information after the issuance of this report may change certain facts, findings, conclusions, or circumstances to the report. A change in any fact, circumstance, or industry-accepted procedure upon which this report was based may adversely affect the findings, conclusions, and recommendations expressed in this report.

No other person or entity, unless specifically identified in Section 1.6 of this report may rely on this report. Subsequent consultants and subsequent Users may not rely on this report or information included in this report. DCR Inc. will not be held liable in any way for any and all unauthorized use of this report both currently and in the future. Consultants and subsequent Users must specifically and separately verify all information and not rely on the facts, findings, conclusions, opinions and recommendations of this report. Future use of this report by consultants or subsequent Users is strictly prohibited and not authorized to evaluate the appropriateness of using this information in environmental site assessments performed in the future by anyone other than DCR Inc. Subsequent consultants and subsequent Users may not include this report or information included in this report (unless publicly available) without the written authorization of DCR Inc.

This report was prepared for determining whether to make a loan evidenced by a note secured by the property and not for pre-purchase due diligence.

### **11.5 Special Terms and Conditions**

This Phase I Environmental Assessment was prepared in accordance with the stated and agreed upon Scope of Work. This report was specifically and only prepared for the identified specific client (user) and for their specific purpose; no other person or entity for any other purpose may use, or rely on this report or its contents unless specifically authorized in writing by Property Solutions Inc. No other special terms and conditions are applicable to this Phase I Environmental Assessment.

### **11.6 Definitions**

Abandoned property – property that can be presumed to be deserted, or an intent to relinquish possession or control can be inferred from the general disrepair or lack of activity thereon such that a reasonable person could believe that there was an intent on the part of the current owner to surrender rights to the property.

Activity and use limitations – Legal or physical restrictions or limitations on the use of, or access to, a site or facility: (1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil, soil vapor, groundwater, and/or surface water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls,

are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil, soil vapor, groundwater, and/or surface water on the property.<sup>4</sup>

<sup>4</sup> The term *AUI* is taken from the ASTM Standard Guide E 2091 to include both legal (that is, institutional) and physical (that is, engineering) controls within its scope. Other agencies, organizations, and jurisdictions may define or utilize these terms differently (for example, EPA and California do not include physical controls within their definitions of “institutional controls.” Department of Defense and International County/City Management Association use “Land Use Controls.” The term “land use restrictions” is used but not defined in the *Brownfields Amendments*).

Actual knowledge – the knowledge actually possessed by an individual who is a real person, rather than an entity. Actual knowledge is to be distinguished from constructive knowledge that is knowledge imputed to an individual or entity.

Actual Knowledge Exception – If the user or environmental professional(s) conducting an environmental site assessment has actual knowledge that the information being used from a prior environmental site assessment is not accurate or if it is obvious, based on other information obtained by means of the environmental site assessment or known to the person conducting the environmental site assessment, that the information being used is not accurate, such information from a prior environmental site assessment may not be used.

Adjoining properties – any real property or properties the border of which is contiguous or partially contiguous with that of the property, or that would be contiguous or partially contiguous with that of the property but for a street, road, or other public thoroughfare separating them.

All appropriate inquiries – that inquiries constituting “all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice” as defined in CERCLA, 42 U.S.C §9601(35)(B), that will qualify a party to a commercial real estate transaction for one of the threshold criteria for satisfying the LLPs to CERCLA liability (42 U.S.C §9601(35)(A) & (B), §9607(b)(3), §9607(q); and §9607(r)), assuming compliance with other elements of the defense. See ASTM E 1527-13, Appendix X1.

Bona fide prospective purchaser liability protection – (42 U.S.C. §9607(r))—a person may qualify as a bona fide prospective purchaser if, among other requirements, such person made “all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices.” Knowledge of contamination resulting from all appropriate inquiries would not generally preclude this liability protection. A person must make all appropriate inquiries on or before the date of purchase. The facility must have been purchased after January 11, 2002. See ASTM E 1527-13, Appendix X1 for the other necessary requirements that are beyond the scope of this practice.

Business environmental risk – a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice. Consideration of business environmental risk issues may involve addressing one or more non-scope considerations, some of which are identified in ASTM E 1527-13, Section 13.

Comparison with Subsequent Inquiry – It should not be concluded or assumed that an inquiry was not all appropriate inquiry merely because the inquiry did not identify recognized environmental conditions in connection with a property. Environmental site assessments must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent environmental site assessments should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) – the list of sites compiled by EPA that EPA has investigated or is currently investigating for potential hazardous substance contamination for possible inclusion on the National Priorities List.

Construction debris – concrete, brick, asphalt, and other such building materials discarded in the construction of a building or other improvement to property.

Contiguous property owner liability protection – (42 U.S.C. §9607(q))—a person may qualify for the contiguous property owner liability protection if, among other requirements, such person owns real property that is contiguous to, and that is or may be contaminated by hazardous substances from other real property that is not owned by that person. Furthermore, such person conducted all appropriate inquiries at the time of acquisition of the property and did not know or have reason to know that the property was or could be contaminated by a release or threatened release from the contiguous property. The all appropriate inquiries must not result in knowledge of contamination. If it does, then such person did “know” or “had reason to know” of contamination and would not be eligible for the contiguous property owner liability protection. See ASTM E 1527-13, Appendix X1 for the other necessary requirements that are beyond the scope of this practice.

Continued Viability of Environmental Site Assessment – Subject to ASTM E 1527-13, Section 4.8, an environmental site assessment meeting or exceeding this practice and completed less than 180 days prior to the date of acquisition<sup>6</sup> of the property or (for transactions not involving an acquisition) the date of the intended transaction is presumed to be valid.<sup>7</sup> If within this period the assessment will be used by a different user than the user for whom the assessment was originally prepared, the subsequent user must also satisfy the User’s Responsibilities in ASTM E 1527-13, Section 6. Subject to Section 4.8 and the User’s Responsibilities set forth in ASTM E 1527-13, Section 6, an environmental site assessment meeting or exceeding this practice and for which the information was collected or updated within one year prior to the date of acquisition of the property or (for transactions not involving an acquisition) the date of the intended transaction may be used provided that the following components of the inquiries were conducted or updated within 180 days of the date of purchase or the date of the intended transaction: (i) interviews with owners, operators, and occupants; (ii) searches for recorded environmental cleanup liens; (iii) reviews of federal, tribal, state, and local government records; (iv) visual inspections of the

property and of adjoining properties; and (v) the declaration by the environmental professional responsible for the assessment or update.

Contractual Issues Regarding Prior Assessment Usage – The contractual and legal obligations between prior and subsequent users of environmental site assessments or between environmental professionals who conducted prior environmental site assessments and those who would like to use such prior environmental site assessments are beyond the scope of this practice.

Controlled recognized environmental condition – a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). (See Note 2) A condition considered by the environmental professional to be a controlled recognized environmental condition shall be listed in the findings section of the Phase I Environmental Site Assessment report, and as a recognized environmental condition in the conclusions section of the Phase I Environmental Site Assessment report. (See Note 3)

NOTE 2—For example, if a leaking underground storage tank has been cleaned up to a commercial use standard, but does not meet unrestricted residential cleanup criteria, this would be considered a controlled recognized environmental condition. The “control” is represented by the restriction that the property use remain commercial.

NOTE 3—A condition identified as a controlled recognized environmental condition does not imply that the environmental professional has evaluated or confirmed the adequacy, implementation, or continued effectiveness of the required control that has been, or is intended to be, implemented.

Data failure – a failure to achieve the historical research objectives in ASTM E 1527-13, §8.3.1 through 8.3.2.2 even after reviewing the standard historical sources in §8.3.4.1 through 8.3.4.8 that are reasonably ascertainable and likely to be useful. Data failure is one type of data gap. See ASTM E 1527-13, 8.3.2.3.

Data gap – a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the Key Site Manager, regulatory officials, etc.). See ASTM E 1527-13 §12.7.

De Minimis Condition - a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

Demolition debris – concrete, brick, asphalt, and other such building materials discarded in the demolition of a building or other improvement to property.

Engineering controls (EC) – physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or ground water on the property. Engineering controls are a type of activity and use limitation (AUL).

Environment - environment shall have the same meaning as the definition of environment in CERCLA 42 U.S.C. §9601(8)). For additional background information, see Legal Appendix (Appendix XI) to section XI. 1.1 “Releases and Threatened Release.”

Environmental lien – a charge, security, or encumbrance upon title to a property to secure the payment of a cost, damage, debt, obligation, or duty arising out of response actions, cleanup, or other remediation of hazardous substances or petroleum products upon a property, including (but not limited to) liens imposed pursuant to CERCLA 42 U.S.C. §§9607(1) & 9607(r) and similar state or local laws.

Environmental professional – a person meeting the education, training, and experience requirements as set forth in 40 CFR §312.10(b). See ASTM E 1527-13 Appendix X2. The person may be an independent contractor or an employee of the user.

Fill dirt – dirt, soil, sand, or other earth, that is obtained off-site, that is used to fill holes or depressions, create mounds, or otherwise artificially change the grade or elevation of real property. It does not include material that is used in limited quantities for normal landscaping activities.

Good faith – the absence of any intention to seek an unfair advantage or to defraud another party; an honest and sincere intention to fulfill one’s obligations in the conduct or transaction concerned.

Hazardous substance – a substance defined as a hazardous substance pursuant to CERCLA 42 U.S.C. §9601(14), as interpreted by EPA regulations and the courts: “(A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title, (C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, (42 U.S.C. §6921) (but not including any waste the regulation of which under RCRA (42 U.S.C. §§6901 et seq.) has been suspended by Act of Congress), (D) any toxic pollutant listed under section 1317(a) of Title 33, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. §7412), and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator (of EPA) has taken action pursuant to section 2606 of Title 15. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).” (See ASTM E 1527-13, Appendix XI.)

Hazardous waste – any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of RCRA, as amended, (42 U.S.C. §6921) (but not including any waste the regulation of which under RCRA (42 U.S.C. §§6901-6992k) has been suspended by Act of Congress). RCRA is sometimes also identified as the Solid Waste Disposal Act. RCRA defines a hazardous waste, at 42 U.S.C. §6903, as: “a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may— (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.”

Hazardous waste/contaminated sites – sites on which a release has occurred, or is suspected to have occurred, of any hazardous substance, hazardous waste, or petroleum products, and that release or suspected release has been reported to a government entity.

Historical recognized environmental condition – a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Before calling the past release a historical recognized environmental condition, the environmental professional must determine whether the past release is a recognized environmental condition at the time the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria). If the EP considers the past release to be a recognized environmental condition at the time the Phase I ESA is conducted, the condition shall be included in the conclusions section of the report as a recognized environmental condition.

IC/EC registries – databases of institutional controls or engineering controls that may be maintained by a federal, state, or local environmental agency for purposes of tracking sites that may contain residual contamination and AULs. The names for these may vary from program to program and state to state, and include terms such as Declaration of Environmental Use Restriction database (Arizona), list of “deed restrictions” (California), environmental real covenants list (Colorado), brownfields site list (Indiana, Missouri) and the PA AUL Registry.

Innocent landowner defense – (42 U.S.C. §§9601(35) & 9607(b)(3)) – a person may qualify as one of three types of innocent landowners: (i) a person who “did not know and had no reason to know” that contamination existed on the property at the time the purchaser acquired the property; (ii) a government entity which acquired the property by escheat, or through any other involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation; and (iii) a person who “acquired the facility by inheritance or bequest.” To qualify for the innocent landowner defense, such person must have made all appropriate inquiries on or before the date of purchase. Furthermore, the all appropriate inquiries must not have resulted in knowledge of the contamination. If it does, then such person did “know” or “had



reason to know” of contamination and would not be eligible for the innocent landowner defense. See ASTM E 1527-13, Appendix X1 for the other necessary requirements that are beyond the scope of this practice.

Institutional controls (IC) – a legal or administrative restriction (for example, “deed restrictions,” restrictive covenants, easements, or zoning) on the use of, or access to, a site or facility to (1) reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. An institutional control is a type of Activity and Use Limitation (AUL).

Interviews – those portions of ASTM E 1527-13 practice that are contained in Section 10 and 11 thereof and address questions to be asked of past and present owners, operators, and occupants of the property and questions to be asked of local government officials.

Key Site Manager – the person identified by the owner or operator of a property as having good knowledge of the uses and physical characteristics of the property. See ASTM E 1527-13, §10.5.1.

Landowner Liability Protections (LLPs) – landowner liability protections under CERCLA; these protections include the bona fide prospective purchaser liability protection, contiguous property owner liability protection, and innocent landowner defense from CERCLA liability. See 42 U.S.C. §§9601(35)(A), 9601(40), 9607(b), 9607(q), 9607(r).

Major occupants – those tenants, subtenants, or other persons or entities each of which uses at least 40 % of the leasable area of the property or any anchor tenant when the property is a shopping center.

Material threat – a physically observable or obvious threat which is reasonably likely to lead to a release that, in the opinion of the environmental professional, is threatening and might result in impact to public health or the environment. An example might include an aboveground storage tank system that contains a hazardous substance and which shows evidence of damage. The damage would represent a material threat if it is deemed serious enough that it may cause or contribute to tank integrity failure with a release of contents to the environment.

Migrate/Migration — for the purposes of this practice, “migrate” and “migration” refers to the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface. See Note 4.

NOTE 4—Vapor migration in the subsurface is described in Guide E2600; however, nothing in this practice should be construed to require application of the Guide E2600 standard to achieve compliance with all appropriate inquiries.

Not Exhaustive – All appropriate inquiries does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained or the time required to gather

it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an environmental site assessment and the reduction of uncertainty about unknown conditions resulting from additional information.

Obvious – that which is plain or evident; a condition or fact that could not be ignored or overlooked by a reasonable observer while visually or physically observing the property.

Occupants – those tenants, subtenants, or other persons or entities using the property or a portion of the property.

- Operator – the person responsible for the overall operation of a facility.

Owner – generally the fee owner of record of the property.

Petroleum exclusion – the exclusion from CERCLA liability provided in 42 U.S.C. §9601(14), as interpreted by the courts and EPA: “The term (hazardous substance) does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).”

Petroleum products – those substances included within the meaning of the petroleum exclusion to CERCLA, 42 U.S.C. §9601(14), as interpreted by the courts and EPA, that is: petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under Subparagraphs (A) through (F) of 42 U.S.C. §9601(14), natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas). (The word fraction refers to certain distillates of crude oil, including gasoline, kerosene, diesel oil, jet fuels, and fuel oil, pursuant to Standard Definitions of Petroleum Statistics.<sup>5</sup>)

<sup>5</sup>Standard Definitions of Petroleum Statistics, American Petroleum Institute, Fourth Edition, 1988.

Practically reviewable – information that is practically reviewable means that the information is provided by the source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data. The form of the information shall be such that the user can review the records for a limited geographic area. Records that cannot be feasibly retrieved by reference to the location of the property or a geographic area in which the property is located are not generally practically reviewable. Most databases of public records are practically reviewable if they can be obtained from the source agency by the county, city, zip code, or other geographic area of the facilities listed in the record system. Records that are sorted, filed, organized, or maintained by the source agency only chronologically are not generally practically reviewable. Listings in publicly available records which do not have adequate address information to be located geographically are not generally

considered practically reviewable. For large databases with numerous records (such as RCRA hazardous waste generators and registered underground storage tanks), the records are not practically reviewable unless they can be obtained from the source agency in the smaller geographic area of zip codes. Even when information is provided by zip code for some large databases, it is common for an unmanageable number of sites to be identified within a given zip code. In these cases, it is not necessary to review the impact of all of the sites that are likely to be listed in any given zip code because that information would not be practically reviewable. In other words, when so much data is generated that it cannot be feasibly reviewed for its impact on the property, it is not practically reviewable.

Prior Assessment Usage – The ASTM E 1527-13 practice recognizes that environmental site assessments performed in accordance with this practice will include information that subsequent users may want to use to avoid undertaking duplicative assessment procedures. Therefore, this practice describes procedures to be followed to assist users in determining the appropriateness of using information in environmental site assessments performed more than one year prior to the date of acquisition of the property or (for transactions not involving an acquisition) the date of the intended transaction. The system of prior assessment usage is based on the following principles that should be adhered to in addition to the specific procedures set forth elsewhere in the ASTM E 1527-13 practice.

Property – the real property that is the subject of the environmental site assessment described in the ASTM E 1527-13 practice. Real property includes buildings and other fixtures and improvements located on the property and affixed to the land.

Publicly available – information that is publicly available means that the source of the information allows access to the information by anyone upon request.

Reasonably Ascertainable/Standard Sources – availability of record information varies from information source to information source, including governmental jurisdictions. The user or environmental professional is not obligated to identify, obtain, or review every possible record that might exist with respect to a property. Instead, this practice identifies record information that shall be reviewed from standard sources, and the user or environmental professional is required to review only record information that is reasonably ascertainable to those standard sources. Record information that is reasonable ascertainable means (1) information that is publicly available, (2) information that is obtainable from its source within reasonable time and cost constraints, and (3) information that is practically reviewable.

Reasonable time and cost – Information that is obtainable within reasonable time and cost constraints means that the information will be provided by the source within 20 calendar days of receiving a written, telephone, or in-person request at no more than a nominal cost intended to cover the source's cost of retrieving and duplicating the information. Information that can only be reviewed by a visit to the source is *reasonably ascertainable* if the visit is permitted by the source within 20 days of request.

Recognized environmental condition – the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

Recorded land title records – records of historical fee ownership, which may include leases, land contracts, and AULs on or of the property recorded in the place where land title records are, by law or custom, recorded for the local jurisdiction in which the property is located. (Often such records are kept by a municipal or county recorder or clerk.) Such records may be obtained from title companies or directly from the local government agency. Information about the title to the property that is recorded in a U.S. district court or any place other than where land title records are, by law or custom, recorded for the local jurisdiction in which the property is located, are not considered part of recorded land title records. See ASTM E 1527-13 §8.3.4.4.

Release - a release of any hazardous substance or petroleum product shall have the same meaning as the definition of “release” in CERCLA 42 U.S.C. § 9601(22)). For additional background information, see Legal Appendix, Appendix X1 to X1.1.1 “Releases and Threatened Release.”

Relevant experience (as used in the definition of environmental professional) – participation in the performance of all appropriate inquiries investigations, environmental site assessments, or other site investigations that may include environmental analyses, investigations, and remediation which involve the understanding of surface and subsurface environmental conditions and the processes used to evaluate these conditions and for which professional judgment was used to develop opinions regarding conditions indicative of releases or threatened releases (see 40 CFR §312.1(c)) to the subject property.

Rules of Engagement – The contractual and legal obligations between an environmental professional and a user (and other parties, if any) are outside the scope of this practice. No specific legal relationship between the environmental professional and the user is necessary for the user to meet the requirements of this practice.

Uncertainty Not Eliminated – No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice recognizes reasonable limits of time and cost.

Use of Prior Information – Subject to the requirements set forth in ASTM E 1527-13, Section 4.6, users and environmental professionals may use information in prior environmental site assessments provided such information was generated as a result of procedures that meet or exceed the requirements of this practice. However, such information shall not be used without current investigation of conditions likely to affect recognized environmental conditions in

connection with the property. Additional tasks may be necessary to document conditions that may have changed materially since the prior environmental site assessment was conducted.

User – the party seeking to use Practice E 1527 to complete an environmental site assessment of the property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. The user has specific obligations for completing a successful application of this practice as outlined in ASTM E 1527-13, Section 6.

Visually and/or physically observed – during a site visit pursuant to this practice, this term means observations made by vision while walking through a property and the structures located on it and observations made by the sense of smell, particularly observations of noxious or foul odors. The term “walking through” is not meant to imply that disabled persons who cannot physically walk may not conduct a site visit; they may do so by the means at their disposal for moving through the property and the structures located on it.

## 11.7 Acronyms

*ACM* – asbestos-containing material

*AST* – aboveground storage tank

*ASTM* – American Society for Testing and Materials

*AUL* – Activity and Use Limitations

*bgs* – below ground surface

*BMP* – Best Management Practice

*CERCLA* – Comprehensive Environmental Response, Compensation and Liability Act of 1980 (as amended, 42 USC § 9601 et seq.)

*CERCLIS* – Comprehensive Environmental Response, Compensation and Liability Information System (maintained by EPA)

*CFR* – Code of Federal Regulations

*CORRACTS* – Facilities subject to Corrective Action under RCRA

*CREC* – Controlled Recognized Environmental Condition

*ESA* – Environmental Site Assessment

*ECRA* – Environmental Cleanup Responsibility Act

*EDR* – Environmental Data Resources, Inc.

*EPA* – United States Environmental Protection Agency

*EPCRA* – Emergency Planning and Community Right to Know Act ((also known as SARA Title III), 42 USC § 11001 et seq.)

*ERNS* – Emergency Response Notification System

*ESA* – Environmental Site Assessment (different than an *environmental compliance audit*, 3.2.27)

*FOIA* – U.S. Freedom of Information Act (5 U.S.C. §552 as amended by Public Law No. 104-231, 110 Stat.)

*FR* – Federal Register

*HREC* – Historical recognized environmental condition

*ICs* – Institutional Controls

*ISRA* – Industrial Site Recovery Act  
*LBP* – Lead-based paint  
*LLP* – Landowner Liability Protections under the *Brownfields Amendments*  
*LRST* – Leaking registered storage tank  
*LUST* – Leaking underground storage tank  
*MSDS* – Material safety data sheet  
*NCP* – National Contingency Plan  
*NFRAP* – former CERCLIS sites where no further remedial action is planned under CERCLA  
*NPDES* – National Pollutant Discharge Elimination System  
*NPL* – National Priorities List  
*NVLAP* – National Voluntary Laboratory Accreditation Program  
*OSHA* – Occupational Safety and Health Administration  
*PACM* – Presumed asbestos-containing material  
*PCBs* – Polychlorinated biphenyls  
*PLM* – Polarized light microscopy  
*PRP* – Potentially responsible party (pursuant to CERCLA 42 USC § 9607(a))  
*RCRA* – Resource Conservation and Recovery Act (as amended, 42 USC § 6901 et seq.)  
*RCRIS* – Resource Conservation and Recovery Act Information System  
*REC* – Recognized environmental condition  
*ROC* – Record of communication  
*RST* – Registered storage tank  
*SACM* – Suspect asbestos-containing material  
*SARA* – Superfund Amendments and Reauthorization Act of 1986 (amendment to CERCLA)  
*SIC* – Standard Industrial Classification  
*TEM* – Transmission electron microscopy  
*TSDF* – Hazardous waste treatment, storage or disposal facility  
*USC* – United States Code  
*USEPA* – United States Environmental Protection Agency  
*USGS* – United States Geological Survey  
*UST* – Underground storage tank